



LAWS OF ALASKA

2001

Source
HCS CSSB 19(HES)

Chapter No.
54

AN ACT

Relating to federal child support enforcement requirements regarding social security number information, employer reports about employees, and certain kinds of automated data matching with financial institutions; relating to child support payments; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 26, 2001

Actual Effective Date: Sections 11, 12, and 15 take effect June 27, 2001; remainder of Act takes effect July 1, 2003

AN ACT

1 Relating to federal child support enforcement requirements regarding social security number
2 information, employer reports about employees, and certain kinds of automated data matching
3 with financial institutions; relating to child support payments; repealing the termination date
4 of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support
5 enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA
6 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and
7 providing for an effective date.

8

9 * **Section 1.** AS 06.40.050(a) is amended to read:

10 (a) Application for a license under this chapter shall be in writing and in the
11 form prescribed by the department. [IF THE APPLICANT IS A NATURAL
12 PERSON, THE APPLICATION FORM MUST REQUIRE SUBMISSION OF THE

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1 APPLICANT'S SOCIAL SECURITY NUMBER.]

2 * **Sec. 2.** AS 08.01.089 is amended to read:

3 **Sec. 08.01.089. Copies of records for child support purposes.** If a copy of a
4 public record concerning an individual who owes or is owed child support that is
5 prepared or maintained by the department is requested by the child support
6 enforcement agency created in AS 25.27.010 or a child support enforcement agency of
7 another state, the department shall provide the requesting agency with a certified copy
8 of the public record [, INCLUDING THE INDIVIDUAL'S SOCIAL SECURITY
9 NUMBER]. If these records are prepared or maintained by the department in an
10 electronic data base, the records may be supplied by providing the requesting agency
11 with a copy of the electronic record and a statement certifying its contents. A
12 requesting agency receiving information under this section may use it only for child
13 support purposes authorized under law.

14 * **Sec. 3.** AS 08.08.137 is amended to read:

15 **Sec. 08.08.137. Fingerprints [; SOCIAL SECURITY NUMBER].** The
16 Board of Governors shall require an applicant for admission to be fingerprinted [AND
17 TO PROVIDE THE APPLICANT'S SOCIAL SECURITY NUMBER]. The
18 fingerprints shall be used to determine whether the applicant has a record of criminal
19 convictions in this state or another jurisdiction. The Board of Governors may use the
20 information obtained from the fingerprinting only in its official determination of the
21 character and fitness of the applicant for admission to the Alaska Bar Association.
22 [THE APPLICANT'S SOCIAL SECURITY NUMBER SHALL BE PROVIDED TO
23 THE CHILD SUPPORT ENFORCEMENT AGENCY ESTABLISHED IN
24 AS 25.27.010, OR THE CHILD SUPPORT ENFORCEMENT AGENCY OF
25 ANOTHER STATE, UPON REQUEST BY THE RESPECTIVE AGENCY; THE
26 REQUESTING AGENCY MAY USE THAT INFORMATION ONLY FOR CHILD
27 SUPPORT PURPOSES AUTHORIZED UNDER LAW.]

28 * **Sec. 4.** AS 09.55.050 is amended to read:

29 **Sec. 09.55.050. Effect of presumptive death certificate.** After the judge or
30 magistrate has entered an order declaring that the person is presumed to be dead either
31 under AS 09.55.020 - 09.55.060 or under the laws dealing with missing persons, the

1 judge or magistrate shall make out and sign a certificate entitled "Presumptive Death
2 Certificate" in the form and manner and containing the information required by the
3 Bureau of Vital Statistics. [IN ADDITION TO THE INFORMATION REQUIRED
4 BY THE BUREAU OF VITAL STATISTICS, THE CERTIFICATE MUST
5 CONTAIN THE DECEDENT'S SOCIAL SECURITY NUMBER, IF
6 ASCERTAINABLE.] The certificate shall be recorded by the judge or magistrate and
7 then filed with the Bureau of Vital Statistics. Upon the entry of the order and the
8 recording and filing of the "Presumptive Death Certificate" as herein provided, the
9 missing person is presumed to be dead, and the person's estate may be administered in
10 accordance with the then existing provisions of law applicable to the administration of
11 the estates of deceased persons.

12 * **Sec. 5.** AS 16.05.450(a) is amended to read:

13 (a) The commissioner or an authorized agent shall issue a crewmember fishing
14 license under AS 16.05.480 to each qualified person who files a written application at
15 a place in the state designated by the commissioner, containing the reasonable
16 information required by the commissioner together with the required fee. [THE
17 COMMISSIONER SHALL REQUIRE THE REPORTING OF THE APPLICANT'S
18 SOCIAL SECURITY NUMBER ON THE APPLICATION.] The application shall be
19 simple in form and shall be executed by the applicant under the penalty of unsworn
20 falsification.

21 * **Sec. 6.** AS 16.05.480(b) is amended to read:

22 (b) A person applying for a resident commercial license under this section
23 shall provide [THE PERSON'S SOCIAL SECURITY NUMBER AND] the proof of
24 residence that the department requires by regulation.

25 * **Sec. 7.** AS 18.50.280(a) is amended to read:

26 (a) For each dissolution, divorce, and annulment of marriage granted by a
27 court in the state, the clerk of the court shall prepare and file a certificate of
28 dissolution, divorce, or annulment with the bureau, on forms prescribed and furnished
29 by the bureau. [THE FORMS MUST REQUIRE THE REPORTING OF THE
30 SOCIAL SECURITY NUMBERS OF THE PETITIONER OR PLAINTIFF AND, IF
31 ASCERTAINABLE, THE OTHER PARTY TO THE DISSOLUTION, DIVORCE,

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1 OR ANNULMENT OF MARRIAGE.] The petitioner or plaintiff shall furnish the
2 court with the information necessary to complete the certificate, and the furnishing of
3 this information is prerequisite to the issuance of a decree.

4 * **Sec. 8.** AS 18.60.395(a) is amended to read:

5 (a) The Department of Labor and Workforce Development shall adopt
6 regulations for the licensing of boiler operators. The regulations must conform to the
7 generally accepted nationwide standards and practices established for boiler operators.
8 [IN ADDITION TO ANY REQUIREMENTS ADOPTED BY REGULATION
9 UNDER THIS SUBSECTION, A PERSON APPLYING FOR A LICENSE SHALL
10 PROVIDE TO THE DEPARTMENT, ON THE APPLICATION, THE PERSON'S
11 SOCIAL SECURITY NUMBER.]

12 * **Sec. 9.** AS 18.65.410(a) is amended to read:

13 (a) Application for a license as a security guard must be made on forms
14 provided by the commissioner. The application must require the furnishing of
15 information reasonably required by the commissioner to carry out the provisions of
16 AS 18.65.400 - 18.65.490, including classifiable fingerprints to enable the search of
17 criminal indices for evidence of a prior criminal record [, AND MUST REQUIRE
18 THE FURNISHING OF THE APPLICANT'S SOCIAL SECURITY NUMBER IF
19 THE APPLICANT IS A NATURAL PERSON]. The application must be
20 accompanied by a nonrefundable application fee of \$50 for a security guard and \$200
21 for a security guard agency.

22 * **Sec. 10.** AS 18.72.030(a) is amended to read:

23 (a) A person who desires to sell fireworks at wholesale in the state shall first
24 make verified application for a license to the state fire marshal on forms provided by
25 the state fire marshal. [THE FORMS MUST REQUIRE THE APPLICANT TO
26 SUPPLY THE APPLICANT'S SOCIAL SECURITY NUMBER IF THE
27 APPLICANT IS A NATURAL PERSON.] The application shall be accompanied by
28 an annual license fee of \$50.

29 * **Sec. 11.** AS 25.27.075(a) is amended to read:

30 (a) An employer doing business in the state shall report to the agency the
31 hiring, rehiring, or return to work of each employee. The report shall be made within

1 the time limits set out in (b) of this section. The report must contain the name,
2 address, and social security number of the newly hired employee, the name and
3 address of the employer, and the identifying number assigned to the employer by the
4 United States Department of the Treasury, Internal Revenue Service. **Violation of**
5 **this subsection does not give rise to a private cause of action.**

6 * Sec. 12. AS 25.27.103 is amended to read:

7 **Sec. 25.27.103. Payments to agency.** An obligor shall make child support
8 payments to the agency if the agency is enforcing a duty of child support under
9 AS 25.25 or this chapter. The agency shall disburse that portion of a payment that
10 exceeds the amount of money necessary to satisfy the obligor's immediate duty of
11 support in accordance with state and federal requirements. **The agency may**
12 **characterize a support payment physically received by the agency through wage**
13 **withholding during the last five business days of the month as having been**
14 **received on the first day of the next calendar month if the agency determines that**
15 **the payment was made in the course of regular wage withholding intended for**
16 **the next calendar month.** The agency shall credit money disbursed under this
17 **section** [SUBSECTION] toward satisfaction of the obligor's duty of support.

18 * Sec. 13. AS 28.15.061(b) is amended to read:

19 (b) An application under (a) of this section must

20 (1) contain the applicant's full name, [SOCIAL SECURITY
21 NUMBER,] date and place of birth, sex, and mailing and residence addresses;

22 (2) state whether the applicant has been previously licensed as a driver
23 and, if so, when and by what jurisdiction;

24 (3) state whether any previous driver's license issued to the applicant
25 has ever been suspended or revoked or whether an application for a driver's license has
26 ever been refused and, if so, the date of and reason for the suspension, revocation, or
27 refusal; and

28 (4) contain other information that the department may reasonably
29 require to determine the applicant's identity, competency, and eligibility.

30 * Sec. 14. AS 06.20.020(b); AS 06.40.050(e); AS 08.01.060(b), 08.01.100(e);
31 AS 14.20.027; AS 16.05.450(d), 16.05.480(d); AS 18.50.230(f), 18.50.280(c);

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1 AS 18.60.395(d); AS 18.65.410(b); AS 18.72.030(b)(2); AS 21.06.255; AS 25.05.091(b);
2 AS 25.20.050(n); AS 25.24.160(d), 25.24.210(f), 25.24.230(i); AS 25.27.020(a)(2)(D); and
3 AS 28.15.061(g) are repealed.

4 * **Sec. 15.** The following are repealed:

- 5 (1) Section 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA
6 1998;
- 7 (2) Sections 2, 14, and 16, ch. 37, SLA 1998;
- 8 (3) Section 53, ch. 132, SLA 1998;
- 9 (4) Section 54(b), ch. 132, SLA 1998, as amended by sec. 101, ch. 21, SLA
10 2000;
- 11 (5) Section 54(c), ch. 132, SLA 1998;
- 12 (6) Section 56, ch. 132, SLA 1998;
- 13 (7) Section 92, ch. 58, SLA 1999; and
- 14 (8) Section 103, ch. 21, SLA 2000.

15 * **Sec. 16.** Sections 11, 12, and 15 of this Act take effect immediately under
16 AS 01.10.070(c).

17 * **Sec. 17.** Sections 1 - 10, 13, and 14 of this Act take effect July 1, 2003.