

HOUSE BILL NO. 256

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES KREISS-TOMKINS AND TUCK

Introduced: 1/17/14

Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring the legislative finance division to prepare a summary of the state
2 budget and finances for the previous fiscal year and requiring the Department of
3 Revenue to distribute the summary to all permanent fund dividend recipients."

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

5 * **Section 1.** AS 24.20.231 is amended to read:

6 **Sec. 24.20.231. Duties.** The legislative finance division shall

7 (1) analyze the budget and appropriation requests of each department,
8 institution, bureau, board, commission, or other agency of state government;

9 (2) analyze the revenue requirements of the state;

10 (3) provide the finance committees of the legislature with
11 comprehensive budget review and fiscal analysis services;

12 (4) cooperate with the office of management and budget in establishing
13 a comprehensive system for state budgeting and financial management as set out in
14 AS 37.07 (Executive Budget Act);

1 (5) complete studies and prepare reports, memoranda, or other
2 materials as directed by the Legislative Budget and Audit Committee;

3 (6) with the governor's permission, designate the legislative fiscal
4 analyst to serve ex officio on the governor's budget review committee; [AND]

5 (7) identify the actual reduction in state expenditures in the first fiscal
6 year following a review under AS 44.66.040 resulting from that review and inform the
7 Legislative Budget and Audit Committee of the amount of the reduction; **and**

8 **(8) prepare for the Department of Revenue a one-page summary of**
9 **the state budget and finances for the previous fiscal year; the summary shall be**
10 **written in language that is easy to understand.**

11 * **Sec. 2.** AS 43.23.055 is amended to read:

12 **Sec. 43.23.055. Duties of the department.** The department shall

13 (1) annually pay permanent fund dividends from the dividend fund;

14 (2) subject to AS 43.23.011 and paragraph (8) of this section, adopt
15 regulations under AS 44.62 (Administrative Procedure Act) that establish procedures
16 and time limits for claiming a permanent fund dividend; the department shall
17 determine the number of eligible applicants by October 1 of the year for which the
18 dividend is declared and pay the dividends by December 31 of that year;

19 (3) adopt regulations under AS 44.62 (Administrative Procedure Act)
20 that establish procedures and time limits for an individual upon emancipation or upon
21 reaching majority to apply for permanent fund dividends not received during minority
22 because the parent, guardian, or other authorized representative did not apply on
23 behalf of the individual;

24 (4) assist residents of the state, particularly in rural areas, who because
25 of language, disability, or inaccessibility to public transportation need assistance to
26 establish eligibility and to apply for permanent fund dividends;

27 (5) use a list of individuals ineligible for a dividend under
28 AS 43.23.005(d) provided annually by the Department of Corrections and the
29 Department of Public Safety to determine the number and identity of those
30 individuals;

31 (6) adopt regulations that are necessary to implement AS 43.23.005(d);

1 (7) adopt regulations that establish procedures for the parent, guardian,
 2 or other authorized representative of a disabled individual to apply for prior year
 3 permanent fund dividends not received by the disabled individual because no
 4 application was submitted on behalf of the individual;

5 (8) adopt regulations that establish procedures for an individual to
 6 apply to have a dividend disbursement under AS 37.25.050(a)(2) reissued if it is not
 7 collected within two years after the date of its issuance; however, the department may
 8 not establish a time limit within which an application to have a disbursement reissued
 9 must be filed;

10 (9) provide any information, upon request, contained in permanent
 11 fund dividend records to the child support services agency created in AS 25.27.010, or
 12 the child support enforcement agency of another state, for child support purposes
 13 authorized under law; if the information is contained in an electronic data base, the
 14 department shall provide the requesting agency with either

15 (A) access to the data base; or

16 (B) a copy of the information in the data base and a statement
 17 certifying its contents;

18 (10) establish a fraud investigation unit for the purpose of assisting the

19 (A) Department of Law in the prosecution of individuals who
 20 apply for or obtain a permanent fund dividend in violation of a provision in
 21 AS 11, by detecting and investigating those crimes; and

22 (B) commissioner to detect and investigate the claiming or
 23 paying of permanent fund dividends that should not have been claimed by or
 24 paid to an individual and to impose the penalties and enforcement provisions
 25 under AS 43.23.035;

26 **(11) distribute to each permanent fund dividend recipient a copy**
 27 **of the summary prepared by the legislative finance division under AS 24.20.231;**
 28 **the summary shall be distributed at the time of distribution of the Internal**
 29 **Revenue Service Miscellaneous Income Form (Form 1099-MISC) and shall be**
 30 **distributed**

31 **(A) by mail for recipients who receive their Internal**

1 **Revenue Service Miscellaneous Income Form (Form 1099-MISC) by mail;**
2 **or**
3 **(B) as an attachment to the electronic notice stating that the**
4 **Internal Revenue Service Miscellaneous Income Form (Form 1099-MISC)**
5 **is available for download for permanent fund dividend recipients who**
6 **receive the Form 1099-MISC by electronic mail.**