

# Alaska State Legislature

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## Representative Lesil McGuire Chair, Judiciary Committee

### Sectional Analysis HB 127

*“An Act relating to service in the peace corps and members of the United States Olympic Team as allowable absences from the state for purposes of eligibility for permanent fund dividends and to the period for filing an application for a permanent fund dividend; authorizing the Department of Revenue to issue administrative orders imposing sanctions for certain misrepresentations or other actions concerning eligibility for a permanent fund dividend and providing for administrative appeal of those orders; and providing for an effective date.”*

**Section 1** – Amends AS 43.23.008(a) adding language to reinstate the eligibility of volunteers in the federal Peace Corps program for the Alaska Permanent Fund Dividend (Pg. 2, Ln. 31). The remainder of this section appropriately renumbers statute as a result of the addition of this language

**Section 2** – Amends AS 43.23.008(b) by renumbering the statute as a result of the addition made above (Pg. 3, Ln. 14).

**Section 3** – Amends AS 43.23.011 by changing the application period for the Permanent Fund Dividend from January 2, to January 1 (Pg. 3, Ln. 19).

**Section 4** – Amends AS 43.23.035 (c) by changing language related to fraudulent dividend applications. The amendments made in this section provide that in addition to any criminal penalties by state law (Pg. 3, Ln. 31-22), the Department of Revenue is granted authority to issue and order against an individual that may include forfeiture of the current dividend (Pg. 3, Ln. 27), imposition of a fine up to \$3,000 (Pg. 3, Ln. 28), and revocation of eligibility for the following five dividends (Pg. 3, Ln. 30-31).

**Section 5** – Amends AS 43.23.035 by adding a new subsection providing for an appeal process following a departmental order against an individual.

**Section 6** – Amends the uncodified law of the State of Alaska by granting the Department of Revenue necessary authority to immediately adopt regulations necessary to implement sections 3-6 of the Act.

**Sections 7, 8, & 9** – Section 7 provides for an effective date for Section 6, being effective immediately under AS 01.10.070(c). Section 8 provides for an effective date for Sections 3-5, effective July 1, 2003. Section 9 provides for an effective date for Sections 1-2, effective January 1, 2004.