



**Alaska State Legislature**  
**Representative Berta Gardner**  
**Representative Andrea Doll**  
**Representative Bob Buch**  
**Representative Scott Kawasaki**  
State Capitol Building, Juneau, Alaska, 99801

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Talis Colberg  
Attorney General  
1031 W. 4<sup>th</sup> Avenue #200  
Anchorage, AK 99501

August 11, 2008

Dear Attorney General Colberg,

A number of Alaskans who qualify for the Permanent Fund Dividend, but missed the application deadline, will not receive the \$1,200 energy rebate the Legislature just approved. As an efficiency measure, the energy rebate has been tied to the PFD with the inadvertent consequence that those Alaskans who missed the PFD filing deadline also lose all opportunity to file for the energy rebate. The rebate was intended for all Alaskans who have lived in this state long enough to qualify for a PFD.

Many of these constituents have started to contact their legislators and the PFD office, and they make the logical argument that they cannot be denied a benefit without having the chance to apply for it. This group of Alaska residents could not have known they'd miss the deadline for the \$1,200 rebate, because that rebate did not exist at the time of the PFD deadline.

We, and other legislators offered an amendment on the House Floor last week to remedy this problem by allowing any Alaskan resident who legally qualifies for the PFD to apply for the rebate. Unfortunately the amendment failed along party lines, leaving us with a problem we ask that you consider fixing.

Under the Alaska Constitution all residents are entitled to Due Process of Law. That requires that Alaskan residents, as defined under the PFD statutes, be offered a chance to apply for the \$1,200 rebate. We ask that you prepare an application form allowing Alaskans who otherwise qualify for the PFD, and who missed the PFD application deadline this past year, to at least have a chance to apply for the \$1,200 rebate.

Please contact us with any questions. A copy of the amendment we introduced is attached.

Sincerely,

Handwritten signature of Berta Gardner in black ink.

Representative Berta Gardner

Handwritten signature of Andrea Doll in black ink.

Representative Andrea Doll

Handwritten signature of Scott Kawasaki in black ink, featuring a large, stylized flourish.

Representative Scott Kawasaki

Handwritten signature of Bob Buch in black ink.

Representative Bob Buch

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE GARDNER

TO: HCS CSSB 4002(FIN)

1 Page 3, line 1, following "(b)":

2 Insert "or (d)"

3

4 Page 3, following line 7:

5 Insert a new subsection to read:

6 "(d) An individual who did not apply for the 2008 permanent fund dividend may  
7 apply to the Department of Revenue for a \$1,200 Alaska resource rebate payment for 2008.  
8 The individual shall apply on a form provided by the department not later than October 1,  
9 2008, and shall demonstrate that the individual would have been eligible to receive a 2008  
10 permanent fund dividend under AS 43.23, except that the individual did not apply for that  
11 dividend. Except as provided in this subsection, all laws that apply to 2008 permanent fund  
12 dividends apply to payments under this subsection to the extent possible."

13

14 Reletter the following subsection accordingly.

3334

Amendment No. 2 was offered by Representatives Gardner, Doll, and Cissna:

Page 3, line 1, following "(b)":  
Insert "or (d)"

Page 3, following line 7:  
Insert a new subsection to read:

"(d) An individual who did not apply for the 2008 permanent fund dividend may apply to the Department of Revenue for a \$1,200 Alaska resource rebate payment for 2008. The individual shall apply on a form provided by the department not later than October 1, 2008, and shall demonstrate that the individual would have been eligible to receive a 2008 permanent fund dividend under AS 43.23, except that the individual did not apply for that dividend. Except as provided in this subsection, all laws that apply to 2008 permanent fund dividends apply to payments under this subsection to the extent possible."

Reletter the following subsection accordingly.

Representative Gardner moved and asked unanimous consent that Amendment No. 2 be adopted.

Representative Meyer objected.

The question being: "Shall Amendment No. 2 be adopted?" The roll was taken with the following result:

HCS CSSB 4002(FIN) am H  
Second Reading  
Amendment No. 2

**YEAS: 15    NAYS: 22    EXCUSED: 3    ABSENT: 0**

Yeas: Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, Nelson, Salmon

Nays: Chenault, Coghill, Dahlstrom, Fairclough, Foster, Gatto, Harris, Hawker, Johansen, Johnson, Keller, Kelly, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Seaton, Stoltze, Thomas, Wilson