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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Genevieve Wojtusik, Department of Revenue

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: December 1, 2023

RE: Filed Permanent Regulations: Department of Revenue

Department of Revenue - PFD Division regulations re: Online PFD application
database and PFD education raffle entry (15 AAC 23.253, .360)

Attorney General File:	2023200287
Regulation Filed:	12/1/2023
Effective Date:	1/1/2024
Print:	248, January 2024

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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December 1, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *15 AAC 23.253, .360: DOR PFD Division: Online PFD application
database; PFD education raffle entry*
Our file: 2023200287

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Revenue against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Revenue after the close of the public comment period.

The regulations repeal language that stated that the department would post an electronic list of the names of applicants for the permanent fund dividends. The repeal effectively requires anyone requesting the list to approach the department for a paper copy. The repeal is a fraud reduction measure.

The regulations also repeal disused language that allowed someone to use a method other than the department's "Pick, Click, Give" program, on the electronic permanent fund dividend application, to participate in the state's education raffle.

We note that the adoption order identifies a special effective date of January 1, 2024, for these regulations. Accordingly, we respectfully request that the regulations be filed on or before December 2, 2023.

The September 10, 2023, public notice and the December 1, 2023 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2023.12.01
11:39:23 -09'00'

RCP/SCW

CC w/enclosure: Genevieve Wojtusik, Regulations Contact
Department of Revenue

John M. Whiteside, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

APPENDIX I: Adoption Order

ORDER ADOPTING CHANGES TO REGULATIONS
OF [name of agency]

The attached 2 pages of regulations, dealing with 15 AAC 23 of the Alaska Administrative Code, dealing with the online Permanent Fund Dividend (PFD) application database and the PFD Education Raffle, are adopted and certified to be a correct copy of the regulation changes that the Department of Revenue (DOR) adopts under the authority of AS 43.23 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

[In considering public comments, the DOR paid special attention to the cost to private persons of the regulatory action being taken.¹

The regulation changes adopted under this order take effect on January 1, 2024, as provided in AS 44.62.180

Date: _____

Adam Crum

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Date: 2023.12.01 10:46:55
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Commissioner Adam Crum

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

December 1, 2023, at 12:30 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 

Lieutenant Governor *Nancy Dahlstrom*

Effective: January 1, 2024.

Register: 249, January 2024.

¹ For Department of Environmental Conservation regulations related to control, prevention, and abatement of air, water, or land or subsurface land pollution, the Department of Law recommends the addition of the following sentence: "The Department of Environmental Conservation also gave special attention to alternate practical methods in this regulatory action as required by AS 46.03.024."

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 248, January 2024 REVENUE

15 AAC 23.253(b)(25) is repealed:

(25) repealed 1 / 1 / 2024;

The introductory language of 15 AAC 23.253(g) is amended to read:

(g) The department will provide a paper list of the **names of permanent fund dividend applicants** [INFORMATION AVAILABLE THROUGH (b)(25) OF THIS SECTION], if the person

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(Eff. 1/1/93, Register 124; am 10/8/94, Register 131; am 3/30/95, Register 133; am 11/20/96, Register 140; am 4/18/97, Register 142; am 8/22/97, Register 143; am 1/1/99, Register 148; am 1/1/2000, Register 152; am 1/1/2002, Register 160; am 1/1/2003, Register 164; am 1/1/2005, Register 172; am 1/1/2007, Register 180; am 1/1/2008, Register 184; am 1/1/2009, Register 188; am 1/1/2010, Register 192; am 1/1/2011, Register 196; am 1 / 1 / 2024, Register 248)

Authority: Art. 1, sec. 22, Ak Const. AS 43.23.021 AS 43.23.110
AS 43.23.015 AS 43.23.055

15 AAC 23.360(a) is amended to read:

(a) As part of the online permanent fund dividend application, the department will provide an option for an applicant who is 18 years of age or older to direct that all or a portion of the applicant's dividend payment be donated for educational purposes and to enter the permanent fund dividend raffle. [THE DEPARTMENT WILL PROVIDE AN ALTERNATIVE METHOD OF DONATION AND ENTRY FOR AN APPLICANT WHO IS UNABLE TO SUBMIT AN ONLINE APPLICATION.]

Register 248, January 2024 REVENUE

(Eff. 12/25/2020, Register 236; am 12/24/2021, Register 240; am 1 / 1 / 2024, Register 248)

Authority: AS 43.23.055 AS 43.23.220 AS 43.23.270
AS 43.23.200 AS 43.23.230