



LAWS OF ALASKA

2003

Source
SB 148

Chapter No.

AN ACT

Relating to allowable absences for certain members of the armed forces and their spouses and dependents for purposes of eligibility for permanent fund dividends; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to allowable absences for certain members of the armed forces and their spouses and
2 dependents for purposes of eligibility for permanent fund dividends; and providing for an
3 effective date.

4

5 * **Section 1.** AS 43.23.008(a) is amended to read:

6 (a) Subject to (b) and (c) of this section, an otherwise eligible individual who
7 is absent from the state during the qualifying year remains eligible for a current year
8 permanent fund dividend if the individual was absent

9 (1) receiving secondary or postsecondary education on a full-time
10 basis;

11 (2) receiving vocational, professional, or other specific education on a
12 full-time basis for which, as determined by the Alaska Commission on Postsecondary
13 Education, a comparable program is not reasonably available in the state;

14 (3) serving on active duty as a member of the armed forces of the

United States **or accompanying, as that individual's spouse, minor dependent, or disabled dependent, an individual who is**

(A) serving on active duty as a member of the armed forces of the United States; and

(B) eligible for a current year dividend;

(4) serving under foreign or coastal articles of employment aboard an oceangoing vessel of the United States merchant marine;

(5) receiving continuous medical treatment recommended by a licensed physician or convalescing as recommended by the physician that treated the illness if the treatment or convalescence is not based on a need for climatic change;

(6) providing care for a parent, spouse, sibling, child, or stepchild with a critical life-threatening illness whose treatment plan, as recommended by the attending physician, requires travel outside the state for treatment at a medical specialty complex;

(7) providing care for the individual's terminally ill parent, spouse, sibling, child, or stepchild;

(8) settling the estate of the individual's deceased parent, spouse, sibling, child, or stepchild, provided the absence does not exceed 220 cumulative days;

(9) serving as a member of the United States Congress;

(10) serving on the staff of a member from this state of the United States Congress;

(11) serving as an employee of the state in a field office or other location;

(12) accompanying a minor who is absent under (5) of this subsection;

(13) accompanying another eligible resident who is absent for a reason permitted under **(1), (2)** [(1) - (3)], (5) - (12), or (14) of this subsection as the spouse, minor dependent, or disabled dependent of the eligible resident;

(14) for any reason consistent with the individual's intent to remain a state resident, provided the absence or cumulative absences do not exceed

(A) 180 days **in addition to any absence or cumulative absences claimed under (3) of this subsection** if the individual is not

1 claiming an absence under **(1), (2), or (4) - (13)** [(1) - (13)] of this subsection;

2 (B) 120 days in addition to any absence or cumulative absences
3 claimed under **(1) - (3)** [(1) OR (2)] of this subsection if the individual is not
4 claiming an absence under **(4) - (13)** [(3) - (13)] of this subsection **but is**
5 **claiming an absence under (1) or (2) of this subsection**; or

6 (C) 45 days in addition to any absence or cumulative absences
7 claimed under (1) - (13) of this subsection **if the individual is claiming an**
8 **absence under (4) - (13) of this subsection**.

9 * **Sec. 2.** The uncoded law of the State of Alaska is amended by adding a new section to
10 read:

11 APPLICATIONS. Notwithstanding permanent fund dividend application procedures
12 or deadlines, an individual who qualifies for a dividend for 2003 because of the amendment to
13 AS 43.23.008(a) made in sec. 1 of this Act, or who may apply on behalf of another who
14 qualifies because of the amendment, may apply for the dividend by September 15, 2003. The
15 Department of Revenue shall prepare a form for applications under this section.

16 * **Sec. 3.** The uncoded law of the State of Alaska is amended by adding a new section to
17 read:

18 RETROACTIVITY. Section 1 of this Act is retroactive to January 1, 2002.

19 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).