



LAWS OF ALASKA

2008

Source
CSHB 284(FIN)

Chapter No.

AN ACT

Relating to participation in certain student fellowships as an allowable absence from the state 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 participation in certain student fellowships as an allowable absence from the state
2 for purposes of eligibility for permanent fund dividends; and providing for an effective date.

3 _____
4 * **Section 1.** AS 43.23.008(a) is amended to read:

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

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

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

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

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

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

5 (B) eligible for a current year dividend;

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

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

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

15 (7) providing care for the individual's terminally ill family member;

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

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

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

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

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

24 (13) accompanying another eligible resident who is absent for a reason
25 permitted under (1), (2), (5) - (12), [OR] (16), **or (17)** of this subsection as the spouse,
26 minor dependent, or disabled dependent of the eligible resident;

27 (14) serving as a volunteer in the federal peace corps program;

28 (15) because of training or competing as a member of the United States
29 Olympic Team;

30 (16) **participating for educational purposes in a student fellowship**
31 **sponsored by the United States Department of Education or by the United States**

1 **Department of State;**

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

4 (A) 180 days in addition to any absence or cumulative absences
5 claimed under (3) of this subsection if the individual is not claiming an absence
6 under (1), (2), or **(4) - (16)** [(4) - (15)] of this subsection;

7 (B) 120 days in addition to any absence or cumulative absences
8 claimed under (1) - (3) of this subsection if the individual is not claiming an
9 absence under **(4) - (16)** [(4) - (15)] of this subsection but is claiming an
10 absence under (1) or (2) of this subsection; or

11 (C) 45 days in addition to any absence or cumulative absences
12 claimed under **(1) - (16)** [(1) - (15)] of this subsection if the individual is
13 claiming an absence under **(4) - (16)** [(4) - (15)] of this subsection.

14 * **Sec. 2.** AS 43.23.008(b) is amended to read:

15 (b) An individual may not claim an allowable absence under **(a)(1) - (16)**
16 [(a)(1) - (15)] of this section unless the individual was a resident of the state for at
17 least six consecutive months immediately before leaving the state.

18 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
19 read:

20 PERMANENT FUND DIVIDEND APPLICATIONS. Notwithstanding permanent
21 fund dividend application procedures or deadlines, an individual who qualifies for a dividend
22 for 2006, 2007, or 2008 because of the amendment to AS 43.23.008(a) made in sec. 1 of this
23 Act may apply for the dividend by September 15, 2008. The Department of Revenue shall
24 prepare a form for applications under this section.

25 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
26 read:

27 RETROACTIVITY. The amendments to AS 43.23.008(a) and (b) made in secs. 1 and
28 2 of this Act are retroactive to January 1, 2005.

29 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).