

27-LS0564\D

Kirsch

3/28/11

CS FOR HOUSE BILL NO. 190()**IN THE LEGISLATURE OF THE STATE OF ALASKA****TWENTY-SEVENTH LEGISLATURE - FIRST SESSION****BY****Offered:****Referred:****Sponsor(s): REPRESENTATIVES FEIGE, Chenault, Herron, Peggy Wilson, Johnson****A BILL****FOR AN ACT ENTITLED**

1 **"An Act relating to the allowable absence for active duty service members of the armed**
2 **forces for purposes of permanent fund dividend eligibility."**

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

4 *** Section 1.** AS 43.23.008(c) is amended to read:

5 (c) An otherwise eligible individual who has been eligible for the immediately
6 preceding 10 dividends despite being absent from the state for more than 180 days in
7 each of the related 10 qualifying years is only eligible for the current year dividend if
8 the individual was absent 180 days or less during the qualifying year. This subsection
9 does not apply to an absence under (a)(9) or (10) of this section or to an absence under
10 (a)(13) of this section if the absence is to accompany an individual who is absent
11 under (a)(9) or (10) of this section. **This subsection does not apply to an absence**
12 **under (a)(3) of this section if the individual was eligible for a dividend for the**
13 **three dividends immediately preceding induction into the armed forces, and,**
14 **during each of those three qualifying years**

1 (1) the individual was absent from the state not more than 180
2 days; or

3 (2) if the individual was absent from the state for more than 180
4 days, the absence was caused by the individual's receiving secondary or
5 postsecondary education on a full-time basis.

6 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 SEVERABILITY. Under AS 01.10.030, if the sentence added to AS 43.23.008(c) by
9 sec. 1 of this Act, or the application of it to any person or circumstance, is held invalid, the
10 remainder of AS 43.23.008(c) and the application to other persons or circumstances are not
11 affected.