

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSHB 142(STA), Draft Version "W"

By Rep Kreiss-Tomkins

1 Page 4, following line 7:

2 Insert new bill sections to read:

3 **** Sec. 3. AS 43.23.008(e) is amended to read:**

4 (e) To determine whether an individual intends to return and remain in the
5 state indefinitely, the department shall consider all relevant factors, including

6 (1) the length of time the individual was absent from the state
7 compared to the length of time the individual was physically present in the state;

8 (2) the frequency and duration of voluntary return trips to the state
9 during the past five years;

10 (3) whether the individual's intent to return to and remain in the state is
11 conditioned on future events beyond the individual's control;

12 (4) the ties the individual has established with the state or another
13 jurisdiction, as demonstrated by

14 (A) maintenance of a home;

15 (B) payment of resident taxes;

16 (C) registration of a vehicle;

17 (D) except as provided in (g) of this section, registration to
18 vote and voting history;

19 (E) acquisition of a driver's license, business license, or
20 professional license; and

21 (F) receipt of benefits under a claim of residency in the state or
22 another jurisdiction;

23 (5) the priority that the individual gave the state on an employment

1 assignment preference list, including a list used by military personnel.

2 * Sec. 4. AS 43.23.008 is amended by adding a new subsection to read:

3 (g) An individual who is absent from the state for a reason permitted under
4 (a)(1) or (2) of this section but who the department determines is ineligible because
5 the individual voted or registered to vote outside the state regains eligibility for a
6 permanent fund dividend if, during the qualifying year or the year immediately
7 preceding the qualifying year, the individual

8 (1) is physically present in the state at some time during the qualifying
9 year;

10 (2) registers to vote in the state or cancels the individual's voter
11 registration outside the state; and

12 (3) is otherwise eligible."
13

14 Renumber the following bill sections accordingly.

15

16 Page 4, line 10, following "APPLICABILITY.":

17 Insert "(a)"
18

19 Page 4, following line 11:

20 Insert a new subsection to read:

21 "(b) AS 43.23.008(e), as amended by sec. 3 of this Act, and AS 43.23.008(g), added
22 by sec. 4 of this Act,

23 (1) apply to the permanent fund dividend 2023 qualifying year for the 2024
24 dividend year and thereafter; and

25 (2) may not be applied to allow an individual to regain eligibility for a
26 qualifying year before 2023."

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 142(STA), Draft Version "W"

by Rep. Eastman

1 Page 3, line 19:

2 Delete "(16), or (17)"

3 Insert "or (16) - (18) [(16), OR (17)]"

4

5 Page 3, line 27, following "(17)":

6 Insert "serving as a volunteer for a religious or charitable program;

7 (18)"

8

9 Page 3, line 31:

10 Delete "(4) - (16)"

11 Insert "(4) - (17) [(4) - (16)]"

12

13 Page 4, line 3:

14 Delete "(4) - (16)"

15 Insert "(4) - (17) [(4) - (16)]"

16

17 Page 4, line 6:

18 Delete "(1) - (16)"

19 Insert "(1) - (17) [(1) - (16)]"

20

21 Page 4, line 7:

22 Delete "(4) - (16)"

23 Insert "(4) - (17) [(4) - (16)]"

1

2 Page 4, following line 7:

3 Insert a new bill section to read:

4 **"* Sec. 3.** AS 43.23.008(b) is amended to read:

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

8

9 Renumber the following bill sections accordingly.

10

11 Page 4, line 10:

12 Delete "applies"

13 Insert "AS 43.23.008(a), as amended by sec. 2 of this Act, and AS 43.23.008(b), as
14 amended by sec. 3 of this Act, apply"

AMENDMENT

by Rep. Eastman

OFFERED IN THE HOUSE

TO: CSHB 142(STA), Draft Version "W"

1 Page 2, lines 19 - 20:

2 Delete ", as determined by the Alaska Commission on Postsecondary Education,"

3 Insert "[, AS DETERMINED BY THE ALASKA COMMISSION ON
4 POSTSECONDARY EDUCATION,]"

5

6 Page 4, line 10:

7 Delete ", applies"

8 Insert "and AS 43.23.008(a), as amended by sec. 2 of this Act, apply"

AMENDMENT

by Rep. Eastman

OFFERED IN THE HOUSE

TO: CSHB 142(STA), Draft Version "W"

1 Page 2, line 23:

2 Delete "armed forces"

3 Insert "uniformed services [ARMED FORCES]"

4

5 Page 4, following line 7:

6 Insert a new bill section to read:

7 "* Sec. 3. AS 43.23.008(f) is amended to read:

8 (f) In [FOR PURPOSES OF (a)(7) OF] this section,

9 (1) "family member" means a person who is

10 (A) [(1)] legally related to the individual through marriage or
11 guardianship; or

12 (B) [(2)] the individual's sibling, parent, grandparent, son,
13 daughter, grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin;

14 (2) "uniformed service" means the Army, Navy, Air Force, Marine
15 Corps, Coast Guard, Space Force, and the Commissioned Corps of the National
16 Oceanic and Atmospheric Administration and Public Health Services."

17

18 Renumber the following bill sections accordingly.

19

20 Page 4, line 10:

21 Delete "applies"

22 Insert "AS 43.23.008(a), as amended by sec. 2 of this Act, and AS 43.23.008(f), as
23 amended by sec. 3 of this Act, apply"

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 142(STA), Draft Version "W"

by Rep. Vance

- 1 Page 1, line 1, following "**eligibility**":
- 2 Insert "**of active duty members of the armed forces for the permanent fund**
- 3 **dividend; relating to the physical presence in the state requirement for eligibility**"

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 142(STA), Draft Version "W"

by Rep. Kreiss-Tomkins

1 Page 4, following line 7:

2 Insert a new bill section to read:

3 **** Sec. 3.** AS 43.23.008(d) is amended to read:

4 (d) **If [AFTER] an individual has been absent from the state, including for a**
5 **reason allowed under (a) of this section,** for more than **120** [180] days in each of the
6 five preceding qualifying years, the department shall presume that the individual is no
7 longer **eligible for a dividend** [A STATE RESIDENT. THE INDIVIDUAL MAY
8 REBUT THIS PRESUMPTION BY PROVIDING CLEAR AND CONVINCING
9 EVIDENCE TO THE DEPARTMENT THAT

10 (1) THE INDIVIDUAL WAS PHYSICALLY PRESENT IN THE
11 STATE FOR AT LEAST 30 CUMULATIVE DAYS DURING THE PAST FIVE
12 YEARS; AND

13 (2) THE INDIVIDUAL IS A STATE RESIDENT AS DEFINED IN
14 AS 43.23.295]."

15

16 Renumber the following bill sections accordingly.

17

18 Page 4, line 10, following "APPLICABILITY.":

19 Insert "(a)"

20

21 Page 4, following line 11:

22 Insert "(b) AS 43.23.008(d), as amended by sec. 3 of this Act, applies to the
23 permanent fund dividend 2028 qualifying year for the 2029 dividend year, and thereafter.

1 * Sec. 5. Section 3 of this Act takes effect January 1, 2028."

2

3 Renumber the following bill section accordingly.

4

5 Page 4, line 12:

6 Delete "This"

7 Insert "Except as provided in sec. 5 of this Act, this"

AMENDMENT

by Rep. Story

OFFERED IN THE HOUSE

TO: CSHB 142(STA), Draft Version "W"

1 Page 3, line 19:

2 Delete "(16), or (17)"

3 Insert "or (16) - (18) [(16), OR (17)]"

4

5 Page 3, line 27, following "(17)":

6 Insert "serving in the National Oceanic and Atmospheric Administration
7 Commissioned Officer Corps or the United States Public Health Service Commissioned
8 Corps;

9 (18)"

10

11 Page 3, line 30, following "(3)":

12 Insert "or (17)"

13

14 Page 4, line 2, following "(1) - (3)":

15 Insert "or (17)"

16

17 Page 4, line 6:

18 Delete "(1) - (16)"

19 Insert "(1) - (17) [(1) - (16)]"

20

21 Page 4, following line 7:

22 Insert a new bill section to read:

23 "** Sec. 3. AS 43.23.008(b) is amended to read:

1 (b) An individual may not claim an allowable absence under (a)(1) - (17)
2 [(a)(1) - (16)] of this section unless the individual was a resident of the state for at
3 least six consecutive months immediately before leaving the state."
4

5 Renumber the following bill sections accordingly.

6

7 Page 4, line 10:

8 Delete "applies"

9 Insert "AS 43.23.008(a), as amended by sec. 2 of this Act, and AS 43.23.008(b), as
10 amended by sec. 3 of this Act, apply"

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 142(STA), Draft Version "W"

- 1 Page 1, lines 10 - 11:
- 2 Delete "**168** [72] consecutive"
- 3 Insert "**120** [72 CONSECUTIVE]"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 142(STA), Draft Version "W"

1 Page 2, line 7:

2 Delete "and"

3 Insert "[AND]"

4

5 Page 2, line 11, following "compliance":

6 Insert "and

7 (8) did not register to vote or vote in another state or a jurisdiction

8 outside the state during the qualifying year"

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 142(STA), Draft Version "W"

1 Page 1, line 10, following "has":

2 Insert "(A)"

3

4 Page 1, line 13, following "AS 43.23.008"

5 Insert "; or

6 (B) maintained a driver's license issued under AS 28.15.111

7 as follows:

8 (i) if the individual is 18 years of age or older, the
9 two calendar years before the qualifying year; or

10 (ii) if the individual is under 18 years of age, the
11 difference between the individual's age and 16"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 142(STA), Draft Version "W"

1 Page 2, line 23:

2 Delete "on active duty"

3 Insert "[ON ACTIVE DUTY]"

4 Delete "armed forces"

5 Insert "**uniformed services** [ARMED FORCES]"

6

7 Page 4, following line 7:

8 Insert a new bill section to read:

9 **** Sec. 3.** AS 43.23.008(f) is amended to read:

10 (f) **In** [FOR PURPOSES OF (a)(7) OF] this section,

11 **(1)** "family member" means a person who is

12 **(A)** [(1)] legally related to the individual through marriage or
13 guardianship; or

14 **(B)** [(2)] the individual's sibling, parent, grandparent, son,
15 daughter, grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin;

16 **(2)** "**uniformed service**" means the Army, Navy, Air Force, Marine
17 **Corps, Coast Guard, Space Force, and the Commissioned Corps of the National**
18 **Oceanic and Atmospheric Administration and Public Health Services.**"

19

20 Renumber the following bill sections accordingly.

21

22 Page 4, line 10:

23 Delete "applies"

1 Insert "AS 43.23.008(a), as amended by sec. 2 of this Act, and AS 43.23.008(f), as
2 amended by sec. 3 of this Act, apply"

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 142(STA), Draft Version "W"

1 Page 2, line 23:

2 Delete "armed forces"

3 Insert "**uniformed services** [ARMED FORCES]"

4

5 Page 4, following line 7:

6 Insert a new bill section to read:

7 **** Sec. 3.** AS 43.23.008(f) is amended to read:

8 (f) **In** [FOR PURPOSES OF (a)(7) OF] this section,

9 (1) "family member" means a person who is

10 (A) [(1)] legally related to the individual through marriage or
11 guardianship; or

12 (B) [(2)] the individual's sibling, parent, grandparent, son,
13 daughter, grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin;

14 (2) "**uniformed service**" means the Army, Navy, Air Force, Marine
15 **Corps, Coast Guard, Space Force, the Commissioned Corps of the National**
16 **Oceanic and Atmospheric Administration and Public Health Services, the Alaska**
17 **National Guard, and the Alaska Naval Militia.**"

18

19 Renumber the following bill sections accordingly.

20

21 Page 4, line 10:

22 Delete "applies"

23 Insert "AS 43.23.008(a), as amended by sec. 2 of this Act, and AS 43.23.008(f), as

1 amended by sec. 3 of this Act, apply"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 142(STA), Draft Version "W"

1 Page 1, line 1, following "dividend;":

2 Insert "relating to a permanent fund dividend for an individual whose conviction
3 has been vacated or reversed, or who has received a pardon for the conviction;"

4

5 Page 2, following line 11:

6 Insert a new bill section to read:

7 **"* Sec. 2.** AS 43.23.005 is amended by adding new subsections to read:

8 (i) An individual who was ineligible to receive a permanent fund dividend for
9 a dividend year under (d) of this section because of a conviction is eligible to receive
10 the permanent fund dividend for each year the individual was ineligible if

11 (1) the individual's conviction is vacated or reversed, and

12 (A) the charges on which the conviction was based are later
13 dismissed; or

14 (B) the individual is retried and found not guilty; or

15 (2) the individual receives a pardon for the conviction.

16 (j) To receive a permanent fund dividend under (i) of this section, the
17 individual shall apply for the permanent fund dividend not later than two years after
18 the dismissal, not guilty finding, or pardon under (i) of this section."

19

20 Renumber the following bill sections accordingly.

21

22 Page 4, following line 7:

23 Insert new bill sections to read:

1 **** Sec. 4.** AS 43.23.025(a) is amended to read:

2 (a) By October 1 of each year, the commissioner shall determine the value of
3 each permanent fund dividend for that year by

4 (1) determining the total amount available for dividend payments,
5 which equals

6 (A) the amount of income of the Alaska permanent fund
7 transferred to the dividend fund under AS 37.13.145(b) during the current year;

8 (B) plus the unexpended and unobligated balances of prior
9 fiscal year appropriations that lapse into the dividend fund under
10 AS 43.23.045(d);

11 (C) less the amount necessary to pay prior year dividends from
12 the dividend fund in the current year under AS 43.23.005(h) **and (i)**,
13 43.23.021, and 43.23.055(3) and (7);

14 (D) less the amount necessary to pay dividends from the
15 dividend fund due to eligible applicants who, as determined by the department,
16 filed for a previous year's dividend by the filing deadline but who were not
17 included in a previous year's dividend computation;

18 (E) less appropriations from the dividend fund during the
19 current year, including amounts to pay costs of administering the dividend
20 program and the hold harmless provisions of AS 43.23.240;

21 (2) determining the number of individuals eligible to receive a
22 dividend payment for the current year and the number of estates and successors
23 eligible to receive a dividend payment for the current year under AS 43.23.005(h); and

24 (3) dividing the amount determined under (1) of this subsection by the
25 amount determined under (2) of this subsection.

26 *** Sec. 5.** AS 43.23.048(a) is amended to read:

27 (a) The restorative justice account is created as a separate account in the
28 dividend fund. The commissioner shall transfer from the dividend fund to the
29 restorative justice account each fiscal year an amount equal to the amount that would
30 have been paid during the previous fiscal year to individuals who were ineligible to
31 receive dividends under AS 43.23.005(d) if they had been eligible. **The commissioner**

1 may not adjust the amount transferred under this section for prior year
2 dividends paid under AS 43.23.005(i)."

3

4 Renumber the following bill sections accordingly.

5

6 Page 4, line 10, following "APPLICABILITY":

7 Insert "(a)"

8

9 Page 4, following line 11:

10 Insert new subsections to read:

11 "(b) AS 43.23.005(j), added by sec. 2 of this Act, applies to an individual who
12 is eligible under AS 43.23.005(i), added by sec. 2 of this Act, and whose dismissal,
13 not guilty finding, or pardon occurred on or after the effective date of this Act.

14 (c) AS 43.23.048(a), as amended by sec. 5 of this Act, applies to transfers
15 made by the commissioner on or after the effective date of this Act."

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 142(STA), Draft Version "W"

1 Page 2, following line 11:

2 Insert a new bill section to read:

3 **** Sec. 2.** AS 43.23.005 is amended by adding new subsections to read:

4 (i) An individual who was ineligible to receive a permanent fund dividend for
5 a dividend year under (a)(6) of this section because the individual was not physically
6 present in the state is eligible to receive the permanent fund dividend for each year the
7 individual was ineligible if the individual

8 (1) was absent from the state to serve in the uniformed service and the
9 service does not qualify as an absence allowed under AS 43.23.008(a)(3); in this
10 subsection, "uniformed service" has the meaning given in AS 43.23.008(f); and

11 (2) within one year after the completion of service under (1) of this
12 subsection, returns to the state with the intent to remain indefinitely.

13 (j) To receive a permanent fund dividend under (i) of this section, the
14 individual shall apply for the permanent fund dividend not later than one year after
15 returning to the state under (i)(2) of this section."

16

17 Renumber the following bill sections accordingly.

18

19 Page 2, line 23:

20 Delete "armed forces"

21 Insert "uniformed services [ARMED FORCES]"

22

23 Page 4, following line 7:

1 Insert new bill sections to read:

2 **** Sec. 4.** AS 43.23.008(b) is amended to read:

3 (b) An individual may not claim an allowable absence under

4 **(1) paragraph (a)(1), (2), or (4) - (16)** [(a)(1) - (16)] of this section
5 unless the individual was a resident of the state for at least six consecutive months
6 immediately before leaving the state;

7 **(2) paragraph (a)(3) of this section unless the individual, during**
8 **the qualifying year, was**

9 **(A) a resident of the state; and**

10 **(B) physically present in the state for at least 180 days.**

11 *** Sec. 5.** AS 43.23.008(f) is amended to read:

12 (f) **In** [FOR PURPOSES OF (a)(7) OF] this section,

13 **(1)** "family member" means a person who is

14 **(A)** [(1)] legally related to the individual through marriage or
15 guardianship; or

16 **(B)** [(2)] the individual's sibling, parent, grandparent, son,
17 daughter, grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin;

18 **(2) "uniformed service" means the Army, Navy, Air Force, Marine**
19 **Corps, Coast Guard, Space Force, and the Commissioned Corps of the National**
20 **Oceanic and Atmospheric Administration and Public Health Services.**

21 *** Sec. 6.** AS 43.23.025(a) is amended to read:

22 (a) By October 1 of each year, the commissioner shall determine the value of
23 each permanent fund dividend for that year by

24 (1) determining the total amount available for dividend payments,
25 which equals

26 (A) the amount of income of the Alaska permanent fund
27 transferred to the dividend fund under AS 37.13.145(b) during the current year;

28 (B) plus the unexpended and unobligated balances of prior
29 fiscal year appropriations that lapse into the dividend fund under
30 AS 43.23.045(d);

31 (C) less the amount necessary to pay prior year dividends from

1 the dividend fund in the current year under AS 43.23.005(h) and (i),
 2 43.23.021, and 43.23.055(3) and (7);

3 (D) less the amount necessary to pay dividends from the
 4 dividend fund due to eligible applicants who, as determined by the department,
 5 filed for a previous year's dividend by the filing deadline but who were not
 6 included in a previous year's dividend computation;

7 (E) less appropriations from the dividend fund during the
 8 current year, including amounts to pay costs of administering the dividend
 9 program and the hold harmless provisions of AS 43.23.240;

10 (2) determining the number of individuals eligible to receive a
 11 dividend payment for the current year and the number of estates and successors
 12 eligible to receive a dividend payment for the current year under AS 43.23.005(h); and

13 (3) dividing the amount determined under (1) of this subsection by the
 14 amount determined under (2) of this subsection."
 15

16 Renumber the following bill sections accordingly.
 17

18 Page 4, line 10:

19 Following "APPLICABILITY.":

20 Insert "(a)"

21 Delete "applies"

22 Insert "AS 43.23.008(a), as amended by sec. 3 of this Act, AS 43.23.008(b), as
 23 amended by sec. 4 of this Act, and AS 43.23.008(f), as amended by sec. 5 of this Act, apply"
 24

25 Page 4, following line 11:

26 Insert a new subsection to read:

27 "(b) AS 43.23.005(j), added by sec. 2 of this Act, applies to an individual who is
 28 eligible under AS 43.23.005(i), added by sec. 2 of this Act, and whose absence from the state
 29 began on or after the effective date of this Act."