

HOUSE BILL NO. 53

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SMALLEY, Croft, Kerttula

Introduced: 1/21/99

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to allowable absences from the state for purposes of eligibility
2 for permanent fund dividends; and providing for an effective date."

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

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

5 **Sec. 43.23.008. Allowable absences.** (a) Subject to (b) and (c) of this
6 section, an otherwise eligible individual who is absent from the state during the
7 qualifying year remains eligible for a current year permanent fund dividend if the
8 individual was absent

9 (1) receiving secondary or postsecondary education on a full-time 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
14 United States;

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

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

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

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

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

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

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

17 (11) accompanying a minor who is absent under (4) of this subsection;

18 (12) **serving as a volunteer in the federal Peace Corps program or**
19 **Volunteers in Service to America (VISTA) program;**

20 **(13)** accompanying another eligible resident who is absent for a reason
21 permitted under this subsection as the spouse, minor dependent, or disabled dependent
22 of the eligible resident;

23 **(14)** [(13)] for any reason consistent with the individual's intent to
24 remain a state resident, provided the absence or cumulative absences do not exceed

25 (A) 180 days if the individual is not claiming an absence under
26 **(1) - (13)** [(1) - (12)] of this subsection;

27 (B) 120 days in addition to any absence or cumulative absences
28 claimed under (1) or (2) of this subsection if the individual is not claiming an
29 absence under **(3) - (13)** [(3) - (12)] of this subsection; or

30 (C) 45 days in addition to any absence or cumulative absences
31 claimed under **(1) - (13)** [(1) - (12)] of this subsection.

1 (b) An individual may not claim an allowable absence under (a)(1) - (13)
2 [(a)(1) - (12)] 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 (c) An otherwise eligible individual who has been eligible for the immediately
5 preceding 10 dividends despite being absent from the state for more than 180 days in
6 each of the related 10 qualifying years is only eligible for the current year dividend
7 if the individual was absent 180 days or less during the qualifying year. This
8 subsection does not apply to an absence under (a)(8) or (9) of this section or to an
9 absence under (a)(13) [(a)(12)] of this section if the absence is to accompany an
10 individual who is absent under (a)(8) or (9) of this section.

11 * **Sec. 2.** This Act takes effect January 1, 2000.