

HOUSE BILL NO. 228

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DAVIES

Introduced: 5/7/99

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating, for purposes of eligibility for permanent fund dividends, to
2 allowable absences from the state while serving as a full-time volunteer in the
3 Peace Corps and while actively participating on a United States national athletic
4 team as an eligible athlete in a nonprofessional sport; and providing for an
5 effective date."

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

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

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

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

13 (2) receiving vocational, professional, or other specific education on a

1 full-time basis for which, as determined by the Alaska Commission on Postsecondary
2 Education, a comparable program is not reasonably available in the state;

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

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

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

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

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

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

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

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

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

22 (12) serving as a full-time volunteer in the Peace Corps;

23 (13) actively participating on a United States national athletic team
24 as an eligible athlete in a nonprofessional sport if the international federation or
25 national governing body for that nonprofessional sport certifies in writing that the
26 individual is an active participant;

27 (14) accompanying another eligible resident who is absent for a reason
28 permitted under this subsection as the spouse, minor dependent, or disabled dependent
29 of the eligible resident;

30 (15) [(13)] for any reason consistent with the individual's intent to
31 remain a state resident, provided the absence or cumulative absences do not exceed

1 (A) 180 days if the individual is not claiming an absence under
2 (1) - (14) [(1) - (12)] of this subsection;

3 (B) 120 days in addition to any absence or cumulative absences
4 claimed under (1) or (2) of this subsection if the individual is not claiming an
5 absence under (3) - (14) [(3) - (12)] of this subsection; or

6 (C) 45 days in addition to any absence or cumulative absences
7 claimed under (1) - (14) [(1) - (12)] of this subsection.

8 (b) An individual may not claim an allowable absence under (a)(1) - (14)
9 [(a)(1) - (12)] of this section unless the individual was a resident of the state for at
10 least six consecutive months immediately before leaving the state.

11 (c) An otherwise eligible individual who has been eligible for the immediately
12 preceding 10 dividends despite being absent from the state for more than 180 days in
13 each of the related 10 qualifying years is only eligible for the current year dividend
14 if the individual was absent 180 days or less during the qualifying year. This
15 subsection does not apply to an absence under (a)(8) or (9) of this section or to an
16 absence under (a)(14) [(a)(12)] of this section if the absence is to accompany an
17 individual who is absent under (a)(8) or (9) of this section.

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