

SENATE BILL NO. 119

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATOR WARD

Introduced: 3/25/99

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to absences from the state while serving on oceangoing vessels
2 of the United States merchant marine for purposes of eligibility for permanent
3 fund dividends; and providing for an effective date."

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

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

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

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

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

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

1 United States;

2 (4) servicing under foreign or coastal articles of employment aboard
 3 an oceangoing vessel of the United States merchant marine;

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

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

11 (7) [(6)] providing care for the individual's terminally ill parent, spouse,
 12 sibling, child, or stepchild;

13 (8) [(7)] settling the estate of the individual's deceased parent, spouse,
 14 sibling, child, or stepchild, provided the absence does not exceed 220 cumulative days;

15 (9) [(8)] serving as a member of the United States Congress;

16 (10) [(9)] serving on the staff of a member from this state of the United
 17 States Congress;

18 (11) [(10)] serving as an employee of the state in a field office or other
 19 location;

20 (12) [(11)] accompanying a minor who is absent under (5) [(4)] of this
 21 subsection;

22 (13) [(12)] accompanying another eligible resident who is absent for
 23 a reason permitted under (1) - (3), (5) - (12), or (14) of this subsection as the spouse,
 24 minor dependent, or disabled dependent of the eligible resident;

25 (14) [(13)] for any reason consistent with the individual's intent to
 26 remain a state resident, provided the absence or cumulative absences do not exceed

27 (A) 180 days if the individual is not claiming an absence under
 28 (1) - (13) [(1) - (12)] of this subsection;

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

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

3 (b) An individual may not claim an allowable absence under (a)(1) - (13)
4 [(a)(1) - (12)] of this section unless the individual was a resident of the state for at
5 least six consecutive months immediately before leaving the state.

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

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