

HOUSE BILL NO. 137

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KERTTULA, Gara

Introduced: 2/9/05

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to absences to provide care for certain family members for purposes of**
2 **permanent fund dividend eligibility; 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(a) is amended to read:

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

8 (1) receiving secondary or postsecondary education on a full-time
9 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 or accompanying, as that individual's spouse, minor dependent, or

1 disabled dependent, an individual who is

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

4 (B) eligible for a current year dividend;

5 (4) serving under foreign or coastal articles of employment aboard an
6 oceangoing vessel of the United States merchant marine;

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

10 (6) providing care for a **family member** [PARENT, SPOUSE,
11 SIBLING, CHILD, OR STEPCHILD] with a critical life-threatening illness **or injury**
12 [WHOSE TREATMENT PLAN, AS RECOMMENDED BY THE ATTENDING
13 PHYSICIAN, REQUIRES TRAVEL OUTSIDE THE STATE FOR TREATMENT
14 AT A MEDICAL SPECIALTY COMPLEX];

15 (7) providing care for the individual's terminally ill family member;

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

18 (9) serving as a member of the United States Congress;

19 (10) serving on the staff of a member from this state of the United
20 States Congress;

21 (11) serving as an employee of the state in a field office or other
22 location;

23 (12) accompanying a minor who is absent under (5) of this subsection;

24 (13) accompanying another eligible resident who is absent for a reason
25 permitted under (1), (2), (5) - (12), or (14) of this subsection as the spouse, minor
26 dependent, or disabled dependent of the eligible resident;

27 (14) for any reason consistent with the individual's intent to remain a
28 state resident, provided the absence or cumulative absences do not exceed

29 (A) 180 days in addition to any absence or cumulative absences
30 claimed under (3) of this subsection if the individual is not claiming an absence
31 under (1), (2), or (4) - (13) of this subsection;

1 (B) 120 days in addition to any absence or cumulative absences
 2 claimed under (1) - (3) of this subsection if the individual is not claiming an
 3 absence under (4) - (13) of this subsection but is claiming an absence under (1)
 4 or (2) of this subsection; or

5 (C) 45 days in addition to any absence or cumulative absences
 6 claimed under (1) - (13) of this subsection if the individual is claiming an
 7 absence under (4) - (13) of this subsection.

8 * **Sec. 2.** AS 43.23.008(d) is amended to read:

9 (d) For purposes of (a)(6) and (7) [(a)(7)] of this section, "family member"
 10 means a person who is

11 (1) legally related to the individual through marriage or guardianship;

12 or

13 (2) the individual's sibling, parent, grandparent, son, daughter,
 14 grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin.

15 * **Sec. 3.** This Act takes effect January 1, 2006.