

**SENATE BILL NO. 59**

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

**BY SENATOR DYSON**

**Introduced: 1/14/05**

**Referred: State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to service as a diplomat in the United States Foreign Service as an**  
2 **allowable absence from the state for purposes of eligibility for permanent fund**  
3 **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(a) is amended to read:

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

9 (1) receiving secondary or postsecondary education on a full-time  
10 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 or accompanying, as that individual's spouse, minor dependent, or  
2 disabled dependent, an individual who is

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

5 (B) eligible for a current year dividend;

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

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

11 (6) providing care for a parent, spouse, sibling, child, or stepchild with  
12 a critical life-threatening illness whose treatment plan, as recommended by the  
13 attending physician, requires travel outside the state for treatment at a medical  
14 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), **or (15)** of this subsection as the spouse,  
26 minor dependent, or disabled dependent of the eligible resident;

27 (14) **serving as a diplomat in the United States Foreign Service;**

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

30 (A) 180 days in addition to any absence or cumulative absences  
31 claimed under (3) of this subsection if the individual is not claiming an absence

1 under **(1), (2), or (4) - (14)** [(1), (2), OR (4) - (13)] of this subsection;

2 (B) 120 days in addition to any absence or cumulative absences  
3 claimed under (1) - (3) of this subsection if the individual is not claiming an  
4 absence under **(4) - (14)** [(4) - (13)] of this subsection but is claiming an  
5 absence under (1) or (2) of this subsection; or

6 (C) 45 days in addition to any absence or cumulative absences  
7 claimed under **(1) - (14)** [(1) - (13)] of this subsection if the individual is  
8 claiming an absence under **(4) - (14)** [(4) - (13)] of this subsection.

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

10 (b) An individual may not claim an allowable absence under **(a)(1) - (14)**  
11 [(a)(1) - (13)] of this section unless the individual was a resident of the state for at  
12 least six consecutive months immediately before leaving the state.

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