

**HOUSE BILL NO. 401**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES KERTTULA, Edgmon, Gara, Buch, Salmon, Holmes, Doogan, LeDoux, Gardner, Nelson, Doll, Kawasaki, Guttenberg**

**Introduced: 2/19/08**

**Referred: State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to serving as a volunteer in an AmeriCorps program as an allowable**  
2 **absence from the state for purposes of eligibility for permanent fund dividends; and**  
3 **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 who 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] (16) **or (17)** of this subsection as the spouse,  
 26 minor dependent, or disabled dependent of the eligible resident;

27 (14) serving as a volunteer in the federal peace corps program;

28 (15) because of training or competing as a member of the United States  
 29 Olympic Team;

30 (16) **serving as a volunteer under the National and Community**  
 31 **Service Trust Act of 1993 (AmeriCorps);**

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

3                    (A) 180 days in addition to any absence or cumulative absences  
4 claimed under (3) of this subsection if the individual is not claiming an absence  
5 under (1), (2), or (4) - (16) [(4) - (15)] of this subsection;

6                    (B) 120 days in addition to any absence or cumulative absences  
7 claimed under (1) - (3) of this subsection if the individual is not claiming an  
8 absence under (4) - (16) [(4) - (15)] of this subsection but is claiming an  
9 absence under (1) or (2) of this subsection; or

10                   (C) 45 days in addition to any absence or cumulative absences  
11 claimed under (1) - (16) [(1) - (15)] of this subsection if the individual is  
12 claiming an absence under (4) - (16) [(4) - (15)] of this subsection.

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

14                   (b) An individual may not claim an allowable absence under (a)(1) - (16)  
15 [(a)(1) - (15)] of this section unless the individual was a resident of the state for at  
16 least six consecutive months immediately before leaving the state.

17 \* **Sec. 3.** This Act takes effect January 1, 2009.