

CS FOR SENATE BILL NO. 94(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/13/09

Referred: Finance

Sponsor(s): SENATOR ELTON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to employment in certain facilities maintained by the United States**
2 **Antarctic Program as allowable absences from the state for purposes of eligibility for**
3 **permanent 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(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), (16), or (18) [(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) participating for educational purposes in a student fellowship
 31 sponsored by the United States Department of Education or by the United States

1 Department of State;

2 (17) servicing as an employee in a facility maintained by the United
 3 States Antarctic Program that is a research station in Antarctica, a field camp in
 4 Antarctica, or a research vessel in Antarctic water if the individual returns to the
 5 state within 30 days after leaving the facility;

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

8 (A) 180 days in addition to any absence or cumulative absences
 9 claimed under (3) of this subsection if the individual is not claiming an absence
 10 under (1), (2), or (4) - (17) [(4) - (16)] of this subsection;

11 (B) 120 days in addition to any absence or cumulative absences
 12 claimed under (1) - (3) of this subsection if the individual is not claiming an
 13 absence under (4) - (17) [(4) - (16)] of this subsection but is claiming an
 14 absence under (1) or (2) of this subsection; or

15 (C) 45 days in addition to any absence or cumulative absences
 16 claimed under (1) - (17) [(1) - (16)] of this subsection if the individual is
 17 claiming an absence under (4) - (17) [(4) - (16)] of this subsection.

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

19 (b) An individual may not claim an allowable absence under (a)(1) - (17)
 20 [(a)(1) - (16)] of this section unless the individual was a resident of the state for at
 21 least six consecutive months immediately before leaving the state.

22 * **Sec. 3.** This Act takes effect January 1, 2010.