

**CS FOR SENATE BILL NO. 98 (FINANCE)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE FINANCE COMMITTEE**

**Offered: 2/27/91**  
**Referred: Rules**

**Sponsor(s): SENATORS SHULTZ, Frank, Adams, Sturgulewski, Uehling, Rodey, Menard, Collins, Duncan, Jones, Fischer, Halford, Zharoff**

**A BILL**

**FOR AN ACT ENTITLED**

**1 "An Act relating to eligibility for permanent fund dividends of certain individuals; and**  
**2 providing for an effective date."**

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

**4 \* Section 1.** AS 43.23.005 is amended by adding a new subsection to read:

**5 (f)** In a time of national military emergency, the commissioner may waive the  
**6 requirement of (a)(3) of this section for an individual absent from the state while serving in the**  
**7 military forces of the United States, or for the spouse and dependents of that individual.**

**8 \* Sec. 2. PERMANENT FUND DIVIDENDS FOR CERTAIN INDIVIDUALS.** (a) Notwithstanding  
**9 AS 43.23.005(a)(3), an individual absent from the state while serving in the military forces of the United**  
**10 States, or a spouse or dependent of that individual, is eligible to receive a 1991 permanent fund dividend**  
**11 if the commissioner of revenue determines that the individual, spouse, or dependent is otherwise**  
**12 qualified and was qualified to receive a dividend for 1990.**

**13 (b)** Notwithstanding AS 43.23.015(c), an individual absent from the state while serving in the  
**14 military forces of the United States and stationed in the Persian Gulf war zone may execute a power of**

1 attorney authorizing another person to apply for the 1991 permanent fund dividend on behalf of the  
2 individual. An individual stationed in the Persian Gulf war zone at any time during April 1, 1991  
3 through June 30, 1991, may apply for a 1991 permanent fund dividend during the 1992 application  
4 period if no application was submitted on the individual's behalf during the 1991 application period and  
5 the individual otherwise qualifies for a 1991 dividend. The dividend shall be paid in the same manner  
6 as prior year dividends under AS 43.23.025(a)(1)(C) and 43.23.055(3) and (7).

7 (c) Notwithstanding AS 43.23.005(a) and 43.23.015(c), if an individual was killed while serving  
8 in the military forces of the United States and stationed in the Persian Gulf war zone at any time during  
9 April 1, 1991 through June 30, 1991, the personal representative of the individual's estate may apply  
10 for the 1991 permanent fund dividend on behalf of the individual's estate at any time during the 1991  
11 or 1992 permanent fund dividend application period.

12 (d) Notwithstanding AS 43.23.015(b), the Department of Revenue shall prescribe and furnish  
13 an application form for claiming a dividend under this section. The department shall adopt regulations  
14 defining the limits of the Persian Gulf war zone and prescribing any additional evidence the department  
15 may require to determine eligibility, including evidence of the applicant's assignment to the Persian Gulf  
16 war zone during the 1991 application period.

17 \* Sec. 3. Section 2 of this Act takes effect immediately under AS 01.10.070(c).

18 \* Sec. 4. Section 1 of this Act takes effect January 1, 1992.