



LAWS OF ALASKA

1999

Source

HB 157

Chapter No.

—71—

AN ACT

Relating to absences from the state while serving on oceangoing vessels of the United States merchant marine for purposes of eligibility for permanent fund dividends; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 23, 1999

Actual Effective Date: January 1, 2000

AN ACT

1 Relating to absences from the state while serving on oceangoing vessels of the United States
2 merchant marine for purposes of eligibility for permanent fund dividends; and providing for an
3 effective date.

4

5 * Section 1. AS 43.23.008 is amended to read:

6 **Sec. 43.23.008. Allowable absences.** (a) Subject to (b) and (c) of this
7 section, an otherwise eligible individual who is absent from the state during the
8 qualifying year remains eligible for a current year permanent fund dividend if the
9 individual was absent

10 (1) receiving secondary or postsecondary education on a full-time 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

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1 United States;

2 (4) servicing under foreign or coastal articles of employment aboard
3 an oceangoing vessel of the United States merchant marine;

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

7 (6) [(5)] providing care for a parent, spouse, sibling, child, or stepchild
8 with a critical life-threatening illness whose treatment plan, as recommended by the
9 attending physician, requires travel outside the state for treatment at a medical
10 specialty complex;

11 (7) [(6)] providing care for the individual's terminally ill parent, spouse,
12 sibling, child, or stepchild;

13 (8) [(7)] settling the estate of the individual's deceased parent, spouse,
14 sibling, child, or stepchild, provided the absence does not exceed 220 cumulative days;

15 (9) [(8)] serving as a member of the United States Congress;

16 (10) [(9)] serving on the staff of a member from this state of the United
17 States Congress;

18 (11) [(10)] serving as an employee of the state in a field office or other
19 location;

20 (12) [(11)] accompanying a minor who is absent under (5) [(4)] of this
21 subsection;

22 (13) [(12)] accompanying another eligible resident who is absent for
23 a reason permitted under (1) - (3), (5) - (12), or (14) of this subsection as the spouse,
24 minor dependent, or disabled dependent of the eligible resident;

25 (14) [(13)] for any reason consistent with the individual's intent to
26 remain a state resident, provided the absence or cumulative absences do not exceed

27 (A) 180 days if the individual is not claiming an absence under
28 (1) - (13) [(1) - (12)] of this subsection;

29 (B) 120 days in addition to any absence or cumulative absences
30 claimed under (1) or (2) of this subsection if the individual is not claiming an
31 absence under (3) - (13) [(3) - (12)] of this subsection; or

1 (C) 45 days in addition to any absence or cumulative absences
2 claimed under (1) - (13) [(1) - (12)] of this subsection.

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

6 (c) An otherwise eligible individual who has been eligible for the immediately
7 preceding 10 dividends despite being absent from the state for more than 180 days in
8 each of the related 10 qualifying years is only eligible for the current year dividend
9 if the individual was absent 180 days or less during the qualifying year. This
10 subsection does not apply to an absence under (a)(9) or (10) [(a)(8) OR (9)] of this
11 section or to an absence under (a)(13) [(a)(12)] of this section if the absence is to
12 accompany an individual who is absent under (a)(9) or (10) [(a)(8) OR (9)] of this
13 section.

14 * Sec. 2. This Act takes effect January 1, 2000.