



# LAWS OF ALASKA

2008

**Source**  
CSHB 284(FIN)

**Chapter No.**  
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## AN ACT

Relating to participation in certain student fellowships as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1



**AN ACT**

1 Relating to participation in certain student fellowships as an allowable absence from the state  
2 for purposes of eligibility for permanent fund dividends; and providing for an effective date.

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4 \* **Section 1.** AS 43.23.008(a) is amended to read:

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

8 (1) receiving secondary or postsecondary education on a full-time  
9 basis;

10 (2) receiving vocational, professional, or other specific education on a  
11 full-time basis for which, as determined by the Alaska Commission on Postsecondary  
12 Education, a comparable program is not reasonably available in the state;

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

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

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

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

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

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

18   \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
19 read:

20           PERMANENT FUND DIVIDEND APPLICATIONS. Notwithstanding permanent  
21 fund dividend application procedures or deadlines, an individual who qualifies for a dividend  
22 for 2006, 2007, or 2008 because of the amendment to AS 43.23.008(a) made in sec. 1 of this  
23 Act may apply for the dividend by September 15, 2008. The Department of Revenue shall  
24 prepare a form for applications under this section.

25   \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
26 read:

27           RETROACTIVITY. The amendments to AS 43.23.008(a) and (b) made in secs. 1 and  
28 2 of this Act are retroactive to January 1, 2005.

29   \* **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).