

HOUSE BILL NO. 335

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE SADDLER

Introduced: 2/20/12

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the permanent fund dividend eligibility of an athlete who is absent**
2 **from the state for pre-Olympic training as a member of a United States National Team;**
3 **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 (17) of this subsection as the spouse, minor
 26 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 **or training or competing as a member of a United States National**
 30 **Team for an Olympic sport;**

31 (16) participating for educational purposes in a student fellowship

1 sponsored by the United States Department of Education or by the United States
2 Department of State;

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

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

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

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

15 * **Sec. 2.** AS 43.23.095 is amended by adding a new paragraph to read:

16 (9) "United States National Team" means a team of athletes selected
17 by a National Governing Body that is recognized by the United States Olympic
18 Committee.

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

21 PERMANENT FUND DIVIDENDS FOR CERTAIN INDIVIDUALS. (a)
22 Notwithstanding other provisions of law, an individual is eligible for the 2011 or 2012
23 dividend if the individual did not receive the dividend because of absence from the state to
24 train and compete as a member of a United States National Team for an Olympic sport.

25 (b) An individual is eligible for a 2011 or 2012 dividend under this section only if the
26 individual would have been otherwise eligible for that dividend and applies for that dividend
27 before the end of the 2013 application period on the form prescribed by the Department of
28 Revenue for claiming the dividend under this section.

29 * **Sec. 4.** Sections 1 and 2 of this Act take effect January 1, 2013.

30 * **Sec. 5.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).