

HOUSE BILL NO. 331

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/2/00

Referred: House Special Committee on Military and Veterans' Affairs, State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to payment, allowances, and benefits of members of the Alaska
2 National Guard and Alaska Naval Militia in active service; relating to computation
3 of certain benefits for members of the Alaska State Militia; and providing for an
4 effective date."

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

6 * **Section 1.** AS 26.05.260(b) is amended to read:

7 (b) Members of the Alaska National Guard and Alaska Naval Militia are
8 entitled to receive, for each day of active service under AS 26.05.070, pay [AND
9 ALLOWANCES] equal to two hundred percent of the minimum daily basic pay
10 [THOSE] provided by federal laws and regulations for members of equivalent grades
11 of the United States armed forces. However, a member may not receive less than \$65
12 per day for active service performed during the fiscal year ending June 30, 1982. For
13 fiscal years beginning after June 30, 1982, the minimum payment of \$65 shall be
14 increased one percent for each percent increase in the consumer price index of

1 Anchorage, Alaska, as determined by the United States Department of Labor, Bureau
2 of Labor Statistics, not to exceed an annual increase of 10 percent. The increase, if
3 any, takes effect not more than 30 days after the release of the consumer price index.
4 The consumer price index that is published immediately after July 1, 1981, is the
5 reference base index.

6 * **Sec. 2.** AS 26.05.260(h) is amended to read:

7 (h) For purposes of computation of benefits under AS 23.30, the earnings of
8 a member of the organized militia will be presumed to be no less than **two hundred**
9 **percent of the minimum daily basic** [THE] pay [AND ALLOWANCES] authorized
10 for a member of the regular armed forces of the United States in the same grade or
11 rank as the organized militia member at the time of the injury or death.

12 * **Sec. 3.** AS 26.05.260(h) is repealed and reenacted to read:

13 (h) For purposes of computation of benefits under AS 23.30,

14 (1) the earnings of a member of the Alaska National Guard or Alaska
15 Naval Militia will be presumed to be no less than two hundred percent of the
16 minimum daily basic pay authorized for a member of the regular armed forces of the
17 United States in the same grade or rank as the Alaska National Guard or Alaska Naval
18 Militia member at the time of the injury or death;

19 (2) the earnings of a member of the Alaska State Militia will be
20 presumed to be equal to the pay and allowances authorized by (j) of this section for
21 the duties being performed by the member while on active state service at the time of
22 the injury or death; if the member of the Alaska State Militia did not receive pay or
23 allowances authorized under (j) of this section, the earnings of the member will be
24 presumed to be no less than two hundred percent of the minimum daily basic pay
25 authorized for a member of the regular armed forces of the United States in the same
26 grade or rank as the Alaska State Militia member at the time of the injury or death.

27 * **Sec. 4.** Sections 1 and 2 of this Act take effect immediately under AS 01.10.070(c).

28 * **Sec. 5.** Section 3 of this Act takes effect

29 (1) only if an Act passed by the Second Session of the Twenty-First Alaska
30 State Legislature and enacted into law amends AS 26.05.260(h) to change the earnings basis
31 for computation of benefits under AS 23.30 for Alaska State Militia members; and

- 1 (2) on the effective date of the Act described in (a) of this section, or
- 2 immediately under AS 01.10.070(c), whichever is later.