

1 IN THE SENATE

BY MERDES

2 SENATE BILL NO. 89

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to eligibility for veteran loans; and  
7 providing for an effective date."

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

9 \* Section 1. AS 26.15.130(a) is amended to read:

10 (a) Qualifications for loans under this chapter are:

11 (1) persons who served in the armed forces of the United  
12 States for 90 days or more, or whose service was for less than 90 days  
13 because of injury or disability incurred in the line of duty, any time  
14 of which was served between April 6, 1917, and November 11, 1918, and  
15 September 16, 1940, and July 25, 1947, or in a combat zone during any  
16 period of armed conflict, who were separated from the armed forces with  
17 a discharge other than dishonorable, and

18 (A) who, at the time of induction into the service,  
19 were residents of the territory, who had been residents for not  
20 less than one year immediately before their induction, and who  
21 returned to the territory or state after discharge as residents  
22 with the intention of remaining in the territory or state; or

23 (B) who, not being bona fide residents of the territory  
24 before their entry into the service, have lived in the territory  
25 or state for at least 10 years following their release from active  
26 military service;

27 (2) persons who were dependent on a member of the armed  
28 forces or a veteran of World War II at the time of the member's or  
29 veteran's death, if

1 (A) the member or veteran was a resident of the  
2 territory for one year before induction into the service; and

3 (B) he served in the armed forces for at least 90 days,  
4 any time of which was served between September 16, 1940, and  
5 July 25, 1947, but no benefits for loans accrue to dependents of  
6 an enlistee or re-enlistee for time served after November 1, 1945,  
7 regardless of whether the enlistment or re-enlistment was before  
8 or after November 1, 1945; and

9 (C) he died before the official date of the termination  
10 of that war; and

11 (D) his discharge was not dishonorable.

12 \* Sec. 2. AS 26.15.160 is amended to read:

13 Sec. 26.15.160. EXTENSION OF CHAPTER TO VETERANS OF KOREA AND  
14 VIETNAM. The provisions of this chapter, except those provisions relat-  
15 ing to the payment of bonuses, are extended to persons who served  
16 other than dishonorably on active duty, any time of which was served  
17 between June 25, 1950, and January 31, 1955, who served other than  
18 dishonorably on active duty between August 4, 1964, and six months  
19 after termination of hostilities involving forces of the United States,  
20 and to dependents of such persons, subject to the following provisions  
21 and eligibility qualifications.

22 (1) Persons are eligible

23 (A) who were discharged other than dishonorably from  
24 the armed forces of the United States or who were released to a  
25 reserve component; and

26 (B) who at the time of entry into the service were bona  
27 fide residents of the territory or State of Alaska and had been  
28 residents of the territory or state for not less than one year  
29 before their entry into the service; and who have returned to the

1 territory or state within a reasonable length of time after  
2 discharge or separation as residents with the intention of remain-  
3 ing in the territory or state; or who, not being bona fide resi-  
4 dents of the territory before their entry into the service, have  
5 lived in the territory or state for at least five [10] years  
6 following their release from active military service; and

7 (C) who served in the armed forces of the United States  
8 for 90 days or more, or whose service was for a lesser period  
9 because of injury or disability incurred in line of duty, any time  
10 of which was served between June 25, 1950, and January 31, 1955,  
11 or who served in the armed forces of the United States for 90 days  
12 or more or whose service was for a lesser period because of injury  
13 or disability incurred in line of duty, any time of which was served  
14 between August 4, 1964, and a date to be determined by the legislature  
15 which shall be on or about six months after the termination of hos-  
16 tilities involving forces of the United States in Vietnam.

17 (2) Persons are eligible who were dependent upon a member  
18 of the armed forces or upon a veteran eligible for the benefits of this  
19 chapter at the time of the member's or veteran's death if the member  
20 or veteran was a resident of the territory for one year before entry  
21 into service and died before the cessation of the present national emer-  
22 gency as determined and proclaimed by the governor. Dependents shall  
23 be unmarried and the deceased veteran or member of the armed forces  
24 shall have been their chief means of support and they shall be either  
25 a widow, widower, minor child, or a mother, father, sister or brother  
26 incapable of self-support. Dependents shall be residents of the state  
27 at the time of application and shall intend to remain residents in the  
28 state permanently. The rights of minor children under this chapter  
29 may be exercised only if they have no surviving parent and have an

1 appointed guardian who may apply on their behalf for the benefits of  
2 this chapter for their care, support or education.

3 (3) No person unless he has lived in the state or territory  
4 for at least five [10] years following his release from active military  
5 service is eligible for the benefits of this section who is eligible  
6 for veterans' benefits under the laws of any other state or territory.  
7 A World War II veteran who received a bonus under secs. 120 and 150  
8 of this chapter need not repay the bonus in order to qualify under the  
9 loan provisions of this section.

10 (4) For persons otherwise eligible for the benefits under  
11 this section, who did not return to the state or territory within one  
12 year after separation from the service unless prevented from doing so  
13 for medical, educational or other valid purposes approved by the  
14 Department of Commerce within one year after separation from the ser-  
15 vice, an additional requirement of four years residence in the state  
16 or territory before their entry into the service is imposed to entitle  
17 them to the benefit provisions of this section.

18 \* Sec. 3. AS 26.15 is amended by adding a new section to read:

19 Sec. 26.15.165. EXTENSION OF CHAPTER TO PEACETIME VETERANS. The  
20 provisions of this chapter, except those provisions relating to the  
21 payment of bonuses, are extended to persons who served other than dis-  
22 honorably on active duty between February 1, 1955 and August 3, 1964.

23 (1) Persons are eligible

24 (A) who were discharged other than dishonorably from  
25 the armed forces of the United States or who were released to a  
26 reserve component; and

27 (B) who were at the time of entry into the service bona  
28 fide residents of the territory or State of Alaska and had been  
29 residents of the territory or state for not less than one year

1 before their entry into the service; and who have returned to the  
2 territory or state within a reasonable length of time after dis-  
3 charge or separation as residents with the intention of remaining  
4 in the territory or state; or who, not being bona fide residents  
5 of the territory before their entry into the service, have lived  
6 in the territory or state for at least five years following their  
7 release from active military service; or who, not being bona fide  
8 residents of the territory or state before entry into the service  
9 but having performed military service in Alaska immediately before  
10 discharge, may apply that time of service to the five-year resi-  
11 dency requirement following their release from active military  
12 service; and

13 (C) who served in the armed forces of the United States  
14 for 90 days or more, or whose service was for a lesser period  
15 because of injury or disability incurred in line of duty, between  
16 February 1, 1955 and August 3, 1964.

17 (2) Persons are eligible who were dependent upon a member of  
18 the armed forces or upon a veteran eligible for the benefits of this  
19 chapter at the time of the member's or veteran's death if the member or  
20 veteran was a resident of the territory for one year before entry into  
21 service and died before the cessation of the present national emergency  
22 as determined and proclaimed by the governor. Dependents shall be  
23 unmarried and the deceased veteran or member of the armed forces shall  
24 have been their chief means of support and they shall be either a widow,  
25 widower, minor child, or a mother, father, sister or brother incapable  
26 of self-support. Dependents shall be residents of the state at the  
27 time of application and shall intend to remain residents of the state  
28 permanently. The rights of minor children under this chapter may be  
29 exercised only if they have no surviving parent and have an appointed

1 guardian who may apply on their behalf for the benefits of this chapter  
2 for their care, support or education.

3 (3) No person unless he has lived in the state or territory  
4 for at least five years following his release from active military ser-  
5 vice is eligible for the benefits of this section who is eligible for  
6 veterans' benefits under the laws of any other state or territory. A  
7 World War II veteran who received a bonus under secs. 120 and 150 of  
8 this chapter need not repay the bonus in order to qualify under the  
9 loan provisions of this chapter.

10 (4) For persons otherwise eligible for the benefits under  
11 this section, who did not return to the state or territory within one  
12 year after separation from the service unless prevented from doing so  
13 for medical, educational or other valid purposes approved by the Depart-  
14 ment of Commerce within one year after separation from the service, an  
15 additional requirement of four years residence in the state or terri-  
16 tory before their entry into the service is imposed to entitle them to  
17 the benefit provisions of this section.

18 \* Sec. 4. This Act takes effect of the day after its passage and approval  
19 or on the day it becomes law without approval.  
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