

Introduced; 1/14/76  
Referred; Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 496

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to benefits for members of the  
7 Alaska National Guard and Naval Militia; and providing  
8 for an effective date."

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

10 \* Section 1. AS 26.05.260(c) is amended to read:

11 (c) Members, including commissioned and warrant officers and  
12 enlisted [ENLISTED] persons, of the Alaska [ARMY NATIONAL GUARD, AIR]  
13 National Guard and Naval Militia shall receive for each day of active  
14 service for the state, under orders of the governor, pay and allowances  
15 equal to those provided by federal laws and regulations for members  
16 [ENLISTED PERSONS] of like grades of the United States Army, United  
17 States Air Force and United States Navy, plus a salary compensation  
18 equivalent to the per diem allowance payable to state officials and  
19 employees for the locale at which the duty is being performed. [HOW-  
20 EVER, NO ENLISTED PERSON SHALL RECEIVE PAY AND ALLOWANCES OF LESS THAN  
21 \$6 A DAY.]

22 \* Sec. 2. AS 26.05.260 is amended by adding new subsections to read:

23 (h) A member of the Alaska National Guard or Naval Militia,  
24 while on active duty for the state and lawfully performing his duties,  
25 including transit to and from his home of record, who receives an  
26 injury or suffers a disability while performing those duties is entitled  
27 to all compensation and benefits available under AS 23.30, Alaska  
28 Workmen's Compensation Act, for the injury or disability.

29 (i) The designated beneficiary of a member of the Alaska National

1 Guard or Naval Militia who dies as a result of an injury or disability  
2 received while on active duty for the state and lawfully performing  
3 his duties, including transit to and from his home of record, is  
4 entitled to receive death benefits allowed beneficiaries under AS  
5 23.30, Alaska Workmen's Compensation Act. In addition, the member's  
6 beneficiaries shall be sent, within 15 days of receipt of notice of  
7 the member's death, payment in an amount equal to six times the member's  
8 monthly salary as designated in (c) of this section, including special  
9 and incentive pay, applicable at the date of the member's death. This  
10 additional payment will be made only if the death occurs on or before  
11 the 120th day after the member's release from state active duty, and  
12 only if the state surgeon general has first determined that the  
13 member's death resulted from an injury or disability received during  
14 that active duty period. Designated beneficiaries shall be paid for  
15 pay and allowances accrued but unpaid to the member at the time of  
16 death within 15 days after the date of notice of his death is received.  
17 Beneficiaries shall be considered to be designated when they are  
18 designated as beneficiaries in the member's military personnel record  
19 file. If the member does not designate a beneficiary, the beneficiary  
20 under this subsection shall be determined in accordance with the  
21 Alaska Workmen's Compensation Act (AS 23.30).

22 \* Sec. 3. AS 23.30.265(11) is amended to read:

23 (11) "employee" means an employee employed by an employer  
24 as defined in paragraph (12), including a member of the Alaska National  
25 Guard or Naval Militia while on active duty for the state and lawfully  
26 performing his duties under AS 26.05.260(h) and (i);

27 \* Sec. 4. AS 26.05.260(b), (d), (e), (f), and (g) are repealed.

28 \* Sec. 5. This Act takes effect July 1, 1976.  
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