

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 53

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST 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 pro-  
8 viding for an effective date."

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

10 \* Section 1. AS 23.30.265(11) is amended to read:

11 (11) "employee" means an employee employed by an employer  
12 as defined in paragraph (12), including a member of the Alaska National  
13 Guard or Alaska Naval Militia while on active duty for the state and  
14 lawfully performing his duties;

15 \* Sec. 2. AS 26.05.260(c) is amended to read:

16 (c) Members, including commissioned and warrant officers and  
17 enlisted [ENLISTED] persons, of the Alaska [ARMY NATIONAL GUARD, AIR]  
18 National Guard and Alaska Naval Militia shall receive for each day of  
19 active service for the state, under orders of the governor, pay and  
20 allowances equal to those provided by federal laws and regulations for  
21 members [ENLISTED PERSONS] of like grades of the United States Army,  
22 United States Air Force and United States Navy, plus compensation  
23 equivalent to the per diem allowance payable to state officials and  
24 employees for the locale at which the duty is being performed. [HOW-  
25 EVER, NO ENLISTED PERSON SHALL RECEIVE PAY AND ALLOWANCES OF LESS THAN  
26 \$6 A DAY.]

27 \* Sec. 3. AS 26.05.260 is amended by adding new subsections to read:

28 (h) A member of the Alaska National Guard or Alaska Naval Militia,  
29 while on active duty for the state and lawfully performing his duties,

1 including transit to and from his home of record, who is injured or  
2 suffers a disability while performing those duties is entitled to all  
3 compensation and benefits available under AS 23.30, Alaska Workmen's  
4 Compensation Act, for the injury or disability.

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

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

29 \* Sec. 5. This Act takes effect July 1, 1977.