

COMMITTEE REPORT

1/14/76

SENATE

Mr. President:

Date 9/17/76

The Committee on FINANCE has had SB 496 benefits for members of the Alaska National Guard under consideration. A Majority of the members of the Committee

- ( ) recommends it DO PASS
- ( ) recommends it DO NOT PASS
- ( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- ( ) recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT  
CS FOR \_\_\_\_\_ DO PASS
- ( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_  
COMMITTEE
- ( ) reports it back WITHOUT RECOMMENDATION
- ( ) "other"

Members signing the Majority report:

<u>Chris Kay</u>	<u>Kevin Chausse</u>	_____
<u>John Peterson</u>	_____	_____
<u>Steve Anderson</u>	_____	_____
<u>Tommy</u>	_____	_____

Members NOT concurring in the Majority report:

<u>M. Toland</u>	recommends: <u>no Rec</u>
_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:

Chris Kay Chairman

THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE  
 Second Session - Ninth Legislature

I. REQUEST

Bill No. SB 496  
 Title: State Active Duty Pay/Workman's Compensation/Survivor's Benefits  
 Requested by: Dept of Military Affairs Date: 19 December 1975  
 Return Date Requested: \_\_\_\_\_  
 Agency: Military Affairs Program: \_\_\_\_\_

II. FISCAL DETAIL

Budget Request Unit(s) Affected: See Below

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachments

IV. ATTACHMENTS

Due to the nature of National Disaster Emergencies, accurate future predictions of cost cannot be made. A comparison of what past state active duty callups would have additionally cost the State of Alaska had this proposal been enacted is attached.

V. DATE: 19 December 1975 PREPARED BY: Raymond H. Holmsen  
 RAYMOND H. HOLMSEN, LTC, Dir, R&R Div

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)



STATE BY STATE COMPARISONS

WORKMAN'S COMPENSATION

All states but six provide specific eligibility in state statutes for state Workman's Compensation while in a state active duty status. Two of these 6 provide for the implementation of federal military injury or death benefits. The other four provide substantial lump sum payments to compensate for injury or death.

STATE BY STATE COMPARISONS

SURVIVOR'S BENEFITS

Alabama	\$10,000 lump sum payment to survivors
Delaware	\$50,000 lump sum payment to survivors
Florida	\$20,000 lump sum payment to survivors
Illinois	\$10,000 lump sum payment to survivors
Massachussetts	\$25.00/week for 200 weeks above workman's compensation
Mississippi	\$10,000 death benefit in voluntary group insurance
New Hampshire	\$15,000 death benefit in voluntary group insurance

STATE BY STATE COMPARISONS

STATE ACTIVE DUTY PAY LEVELS

The below listed states provide reimbursements in extra pay and/or per diem allowances in excess of current federal military pay grade scales. All other states provide reimbursement at the current federal military pay grade scales. Minimum pay currently provided by the federal scales is \$12.04 per day for a PVT E-1 Recruit grade.

<u>STATE</u>	<u>ADDITIONAL COMPENSATION</u>
California	\$12.80/day minimum + \$25/day per diem
Colorado	\$20.00/day minimum
Delaware	2 x's Federal pay
Florida	Federal pay + \$17/day per diem
Georgia	\$15.00/day minimum
Hawaii	\$12.80/day minimum + \$30/day per diem
Idaho	Federal pay + \$10-\$15/day per diem
Illinois	\$25.00/day minimum
Indiana	\$25.50/day minimum
Kansas	\$16.00/day minimum + \$24/day per diem
Maryland	\$20.00/day minimum
Michigan	Federal pay + \$3.00
Minnesota	\$14.50/day minimum
Mississippi	\$14.00/day minimum
Nevada	Disaster duty - pay equal to main labor force
New Mexico	Federal pay + \$25/day per diem
North Carolina	\$19.20/day minimum
North Dakota	Federal pay + 18% + \$18/day per diem
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Wyoming	Federal pay + \$5.00 for enlisted persons

496  
JAN 14 1976

SB 496

The Honorable Chancy Croft  
President of the Senate  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. President:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to benefits for members of the Alaska National Guard and Naval Militia. This bill raises active duty pay for a member by providing that in addition to present pay, which is equal to the current federal military pay scale for persons of like grade or rank, he will also receive a daily salary compensation equivalent to the State per diem rate. The effect of this change is that State active duty pay: (1) becomes more commensurate with emergency duties; (2) will be adjusted in the future with the cost of living index; (3) will be adjusted to the duty location; and (4) will not require legislative changes in the future. We feel that this increase is necessary because the federal scale does not reasonably represent the value of the service performed. Federal active duty salaries are based on a number of incentives which are not available to guardsmen such as commissary, PX/BX, quarters, laundry and other special services. The bill also repeals an existing provision regarding the pay and allowances of officers and enlisted persons and combines them under this amended section.

The bill also attempts to right a deficiency in current law regarding injury, disability or death of a member while on active duty for the State. In the case of injury while on State active duty which prevents future employment, present law provides medical expenses plus one-half of any State active duty pay for a period not to exceed six months. For an average E-4 this means \$225 per month for up to six months. However, personal financial obligations incurred at a higher scale of living still continue after the injury was incurred on State active duty. In case of death while on active duty, current law provides financial assistance up to a maximum of \$7,500 for survivors as determined by a board.

There is no provision for any follow-up monthly survivors' assistance pension. The bill provides that members of the National Guard and Naval Militia, while on active duty and

lawfully performing their duties, are covered by the Alaska Workmen's Compensation Act in case of injury, disability or death. In addition, in case of death, a lump sum gratuity equal to six times the member's monthly salary is paid to his beneficiary.

Sincerely,

Jay S. Hammond  
Governor

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Sincerely,

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Governor

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.  
29

Introduced: 1/14/76  
Referred: Finance

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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.  
29