

SB 54 - AN ACT RELATING TO THE ALASKA NATIONAL GUARD AND NAVAL MILITIA

Testimony
of
HENRY A. COMPTON
Recruiting and Retention Officer
Department of Military Affairs
Alaska National Guard

Senate Bill 54 has three distinct parts. The first part, Sections 1 through 3, deals specifically with pay and protection for Alaska National Guard members when called to state duty at the call of the Governor. The first section says that everyone who is called to service to the state will receive pay and allowances as provided by the federal armed forces pay schedule. However, no individual will receive less than \$65 per day. It also includes a cost-of-living increase. Our current statute says a minimum of \$6 a day. It was passed soon after the earthquake in 1964 and has been overcome by inflation and other events. The \$65 minimum pay will affect only our lower rank enlisted members. Sergeants, enlisted grade five, and people lower than that currently receive less than \$65 per day. All other members of the guard under the federal pay standards would receive more than \$65. We look at it as simply a guarantee to our younger, lower rank enlisted members that they would not suffer a drastic financial hardship if the emergency to state service lasted any considerable length of time.

Section 2 says in writing that a guard member would be covered by the Workmen's Compensation Act while in duty to the state, and includes a provision that would cover them to and from their home.

This is unique in Workmen's Comp, but it is also unique in that guardsmen being called to state active duty would be on duty the minute they received the call from their higher command.

Section 3 deals with disability as opposed to death, and again deals with the Workmen's Comp section.

Section 4 is a definition of member which is all commissioned, warrant, or enlisted men and women in the guard or naval militia.

Section 5 proposes to restructure the re-enlistment bonus. Currently, enlisted guard members in Alaska receive the equivalent of 10 days of base pay each year for an extension or re-enlistment in the guard. What has happened over the years since this was enacted in 1972, we have a great many professional or career guardsmen who are in fact drawing this bonus today. People with 15, 20, 25 years of service who, because of the way it was originally written, receive 10 days of base pay annually. We propose to change that into a \$3,000 bonus payable for one six-year re-enlistment that would come during the decision-making years in a guardsman's career in the guard. That is through the twelfth year of service. At that time it would stop. We just don't feel we should continue to use the state's money to perpetuate a "careerist" in their job. It amounts now in some cases to merely a "spend it" that is given to them annually. We are making the payments in three \$1,000 increments each two years because we have no recoupment capability of state money, and we felt, let them earn the two years, then we'll pay them \$1,000. The \$1,000 is designed so that the individual will

also share the decision of how to spend the \$1,000 with the family. In the day before yesterday's paper, I read that of re-enlistment in the military forces, 90% is determined by family or friends of the service member. So, we wanted to encourage the family and friends of service members who may share in the \$1,000 to make the decision as to whether they re-enlist.

Section 6 proposes to add state retired national guard members to a program we currently enjoy for tuition reimbursement. We now reimburse all active members of the guard who perform satisfactorily, up to 50% of the tuition and required fees that they pay to attend any vocational education or technical school within the state. We propose to add a few retired members to that. The feeling is that this would hopefully draw a few more people into the retirement category. That is, they would stay in the guard longer, it would be a retention factor initially, and then a relatively small reward (about \$125 for the average reimbursement amount) for probably 15 or 20 members. But it keeps faith with our retirees. It also continues to remind retirees that they have served and are being rewarded in a small way, and they become recruiters for friends and children.

The Fiscal Note I hope is clear to you. I hope you all have a copy of the Fiscal Note. One thing to point out in the Fiscal Note: because of the every-other-year pay provision of the re-enlistment bonus, we do have a high point in fiscal '84; it drops off; it goes up in '86; when you extend it out into the early 1990's, you will find that the overall costs of the re-enlistment bonus will drop considerably as the members who are currently drawing the 10 days of base pay annually either

retire or drop out of the guard. The overall costs of our program will be reduced until . . . I looked at an actuary in 1992 and, actually, the re-enlistment bonus program in 10 years from now will be less expensive than it is today.

SENATOR STURGULEWSKI - Colonel, I wonder if we could take a look at Section 1. This section indicates that the \$65 is a base, but I'm wondering, the way you have your cost of living adjustment based on the full percent increase of the increase of the consumer price index. That's pretty high. A lot of times you'll see labor contracts and other things coming in for a percentage of that because a lot of times those things, depending on the individual, are not actually transmitted into direct, say deterioration if you will, in cost of living. I was just wondering, have you done anything to project that out and see if in fact your base according to this exceeds what the equivalent grade might be on the federal level?

COMPTON - You mean by adding the 10% in four or five years?

STURGULEWSKI - Yes

COMPTON - Yes, and I looked also at another thing in the proposals that are currently in Congress for increases in the federal military pay. We know there's going to be a 5.23 in July, and habitually for the last four years the increases in October have been in excess of 10%. I think what's going to happen, Senator, is that the federal standard of pay and allowances will outstrip in the next four or five

years the cost of living raises to the \$65 minimum. I think we'll have fewer members that will have to have their pay allowance supplemented because their pay allowances on the federal scale will be high enough to satisfy the requirement. We have looked at other proposals to compensate the lower ranks. I personally served during the Watts Riots on state emergency active duty, and we had young men under my command that were drawing \$1.75 a day. It's a cumbersome thing to compensate everybody. However, what happens in an emergency situation are guardsmen who will serve for 24 hours a day and maybe have some cold C-rations who serve right along side contract labor persons in the case of a forest fire or a flood who will be earning \$15 to \$20 an hour and have steaks for dinner and this sort of thing. We've experienced . . . I personally have experienced it with highway patrolmen in California who were on full per diem and lived at the Holiday Inn while we slept on the street corner wrapped up in a sleeping bag. So, what we're trying to do is just say 'Hey young men and women, if you have to serve, we're going to make sure that your family doesn't suffer considerable financial hardship.'

SENATOR BENNETT - Any other questions of the Colonel? Do I hear a motion on the bill?

SENATOR SACKETT - Move and ask unanimous consent we put it out with individual recommendations.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 54
 Title An Act relating to the Alaska National Guard and Naval Militia
 Requested by _____ Date 6 Oct 1980

II. FISCAL DETAIL

Agency Affected Department of Military Affairs
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Military Preparedness
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

| | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | 5.0 | 5.0 | 335. | 202.0 | 459.0 | 308.0 |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars)

| | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|-----------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |

POSITIONS

| | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

No Additional Positions

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

Section 1 extends reimbursement of tuition to retired members. About 50 retired members would use this benefit. The average reimbursement is \$75.00 for active members. This will cost \$3,770 per year. Shown above as \$5,000 each year.

Sections 2-5 have no budget impact except in the event of a disaster. The per day cost per person would increase from \$45 to \$70.00 depending on the location. This funding is received from the Governor's Emergency Fund.

Section 7 will require expenditures of \$330.0 in FY 84, \$197.0 in FY 85, \$454.0 in FY 86 and \$303.0 in FY 87. Beginning FY 88, the expenditures will decrease each year as current (1980-81) members drawing the old bonus payment will begin to retire and leave the Guard for other reasons. As the older members retire or drop out, the new program will have completed paying 33 1/3% of the new members. Attached to this fiscal note is a break down of the payments to be paid FY 84-87.

IV. DATE 06 Oct 1980 PREPARED BY LTC Hank Compton
 AGENCY Department of Military Affairs
 Original: Legislative Finance PHONE 465-4601 - Juneau
 cc: Budget and Management 243-0656 - Anchorage
 Prime Sponsor (First Legislator Named)

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 54

Title An Act relating to the Alaska National Guard and Naval Militia

Requested by the Department of Military Affairs Date 06 Feb 1981

II. FISCAL DETAIL

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EXPENDITURES (Thousands of Dollars)

| | FY 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | 0 | 5.0 | 5.0 | 335.0 | 202.0 | 459.0 |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

Sections 1 - 3 have no budget impact except in the event of a disaster. This funding is received from the Governor's Emergency Fund.

Section 5 will require expenditures of \$330.0 in FY 84, \$197.0 in FY 85, and \$454.0 in FY 86. Beginning FY 87, the expenditures will decrease each year as current (1980-81) members drawing the old bonus payment will begin to retire or leave the Guard for other reasons. As these older members retire or drop out, the new program will have completed paying 33 1/3% of the new members. Attached to this fiscal note is a break down of the payments to be paid FY 84-87.

Section 6 extends reimbursement of tuition to retired members. About 15 retired members would use this benefit. The average reimbursement is \$125.00 for active members. Shown above as \$5,000 each year.

IV. DATE 06 Feb 1981

PREPARED BY LTC Henry A. Compton

AGENCY Department of Military Affairs

Original: Legislative Finance

PHONE 465-4601 - Juneau

cc: Budget and Management

243-0656 - Juneau

Prime Sponsor (First Legislator Named)

REENLISTMENT BONUS

ARMY GUARD @ 60% RETENTION

| | | |
|-------|----------------------|-------------------------|
| FY 82 | 304 ETS 182 Reups | Pay in 84 \$182,000. |
| FY 83 | 175 ETS 105 Reups | Pay in 85 \$105,000. |

AIR GUARD @ 74% RETENTION

| | | |
|-------|----------------------|-------------------------|
| FY 82 | 200 ETS 148 Reups | Pay in 84 \$148,000. |
| FY 83 | 127 ETS 92 Reups | Pay in 85 \$ 92,000. |

ARMY GUARD @ 60% RETENTION

| | | |
|-------|----------------------|-------------------------|
| FY 84 | 159 ETS 92 Reups | Pay in 86 \$ 92,000. |
| FY 85 | 175 ETS 105 Reups | Pay in 87 \$105,000. |

AIR GUARD @ 74% RETENTION

| | | |
|-------|--------------------|-------------------------|
| FY 84 | 42 ETS 32 Reups | Pay in 86 \$ 32,000. |
| FY 85 | 1 ETS 1 Reup | Pay in 87 \$ 1,000 |

TOTALS PAY IN:

| | | |
|-------|-------------------------------|-------------------------|
| FY 84 | \$182,000. <u>148,000.</u> | Army Guard Air Guard |
| | \$330,000. | |
| FY 85 | \$105,000. <u>92,000.</u> | Army Guard Air Guard |
| | \$197,000. | |

TOTALS PAY IN:

| | | |
|-------|--|--|
| FY 86 | \$330,000. (2d Pmt from 84) <u>124,000.</u> (1st Pmt from 84) | |
| | \$454,000. | |
| FY 87 | \$197,000. (2d Pmt from 85) <u>106,000.</u> (1st Pmt from 85) | |
| | \$303,000. | |

FACT SHEET

PROPOSED 1981 LEGISLATION

SB 54

The Department of Military Affairs has asked the Governor to introduce one bill in the 1981 Legislation.

The bill has three parts; in nine sections and is now known as SB 54.

The first three sections are designed to protect the families of lower rank enlisted members from a dramatic financial loss in the event of an extended State Duty period. It also ensures that members called to State Active Duty are covered by the Workman's Compensation Act. The fiscal impact of this proposal would be felt only in the event of a major disaster. The funding would come from the Governor's Emergency Fund.

Section 5 is identical to a bill submitted by the Governor last year and proposes a restructuring of the reenlistment bonus. A reenlistment bonus in the amount of \$3,000 will be paid for the first 6 year reenlistment only. The payments will be \$1,000 each, payable every two years. At the end of the initial reenlistment, the bonus stops. Payments would be made to the Guard members during their 6th through 12th year of total military service. This period has been determined as the "decision making" time for Guard members as to whether to stay until retirement or quit. We feel that paying this bonus during the decision years is the best possible use of a reenlistment bonus and conforms very closely to the bonus offered by the Federal Government for the active component personnel. Those members currently receiving a reenlistment bonus under AS 26.05.265 would continue to receive those bonus payments.

Section 6 proposes that the reimbursement of tuition and fees for members who attend an educational, vocational or training school in Alaska be extended to retired members. This proposal is designed to provide an additional incentive to stay in the Guard until retirement and reward, in a small way, those retired members who would like to continue their education. We anticipate that no more than 15 members would take advantage of this proposal each year. The average reimbursement is \$125.00 per year per person, making the total cost of this proposal between 2 and 3 thousand dollars annually.

Sections 7 through 9 are administrative in nature.

Analysis of state funded benefits the Alaska National Guard and Naval Militia now enjoy:

RETIREMENT SYSTEM

Current law passed in the last session of the legislature provides for a retirement payment of \$100.00 for every month served in the Alaska National Guard or Naval Militia provided the retiree has a total of 20 years of service a minimum of five of which as a member of the guard

TUITION REIMBURSEMENT

The State of Alaska will pay an amount equal to 50% of all tuition and required fees paid by the member to schools in Alaska. The schools include all technical vocational or educational institutions. Eligibility requirements are, that the guard member attend 90% of all scheduled drills and 15 days of annual training each year. This eligibility is certified by the unit commander.

REENLISTMENT BONUS

Current statute provides that the state will pay the equivalent of 10 days base pay at the rank held upon satisfactory completion of a members initial enlistment. who reenlists or extends that enlistment for any period of time. Average reenlistment bonus payment is approximately \$350.00. Our proposal in SB 54 changes this to a \$3,000 payment for the initial six year reenlistment after the completion of the initial contract.

VETERANS BENEFITS

Members of the Alaska National Guard and Naval Militia who have served five or more years with the Alaska National Guard or Naval Militia obtain veterans status for procurement of state loans.

NATIONAL GUARD LOSSES 1980

| | |
|------------------|-----|
| TOTAL LOSSES | 110 |
| DROP OUTS AT ETS | 76 |

Of 76 lost, 52 dropped out during "Decision Making" period, or 68.4% could be saved by a larger reenlistment payment that can be used by the family group. In most cases the family makes the decision to leave or stay in the Guard.

AB 54

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. AB 54
Title An Act relating to the Alaska National Guard and Naval Militia
Requested by _____ Date 6 Oct 1980

II. FISCAL DETAIL

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Program Category Affected Public Protection
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| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |

POSITIONS

No Additional Positions

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

Section 1 extends reimbursement of tuition to retired members. About 50 retired members would use this benefit. The average reimbursement is \$75.00 for active members. This will cost \$3,770 per year. Shown above as \$5,000 each year.

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IV. DATE 06 Oct 1980

PREPARED BY LTC Hank Compton
AGENCY Department of Military Affairs
PHONE 465-4601 - Juneau

Original: Legislative Finance

254

January 12, 1981

President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to pay and benefits for members of the Alaska National Guard and Naval Militia. The bill would increase benefits for education, active service pay, workers' compensation, and the reenlistment bonus.

Section 1 of the bill would authorize a sorely-needed change in the pay for members called to active service in an emergency. Under existing law enlisted members of the National Guard in the lower pay grades and their families would suffer grave hardship if the members were called away from their regular employment to active service at very low pay. The section sets a minimum daily compensation which will help insure that a member's family will have enough money while the member is away on active service. The minimum compensation will increase with an increase in the Consumer Price Index for Anchorage, Alaska.

Sections 2 and 3 of the bill would provide for coverage of members of the National Guard under the Workers' Compensation Act while they are on active service in an emergency.

Section 5 of the bill would amend the provision which establishes the reenlistment bonus to provide for three lump sum payments of \$1,000 instead of the more numerous but smaller payments provided under existing law. Those members of the National Guard who are receiving a bonus under existing law would continue to receive that bonus and would not receive the reenlistment bonus that is proposed in this bill.

54

Section 6 of the bill would extend the education benefits currently available to retired members. Under the current law, only active members may claim this benefit.

Sincerely,

S/JSH

Jay S. Hammond
Governor

Introduced: 1/13/61
Referred: State Affairs and
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 54

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

10 (b) Members of the Alaska National Guard and Alaska Naval Militia
11 are entitled to receive, for each day of active service under AS 26.-
12 05.070, [COMMISSIONED AND WARRANT OFFICERS FOR STATE SERVICES ACTUALLY
13 PERFORMED ARE ENTITLED TO RECEIVE] pay and allowances equal to those
14 provided by federal laws and regulations for members of equivalent [COM-
15 MISSIONED AND WARRANT OFFICERS OF THE SAME] grades of the United States
16 armed forces, however, no member will receive less than \$65 per day for
17 active service performed during the fiscal year ending June 30, 1982.
18 For fiscal years beginning after June 30, 1982, the minimum payment of
19 \$65 shall be increased one percent for each percent increase in the con-
20 sumer price index of Anchorage, Alaska, as determined by the United
21 States Department of Labor, Bureau of Labor Statistics, not to exceed an
22 annual increase of 10 percent. The increase, if any, takes effect not
23 more than 30 days after the release of the consumer price index. The
24 consumer price index which is published immediately after July 1, 1981
25 is the reference base index [ARMY OR AIR FORCE].

26 * Sec. 2. AS 26.05.260(d) is repealed and reenacted to read:

27 (d) A member of the Alaska National Guard or Alaska Naval Mili-
28 tia who, while on active service under AS 26.05.070 and lawfully per-
29 forming his or her duties, including transit to and from his or her

1 home of record, suffers a disability is entitled to all compensation and
2 benefits available under the Alaska Workers' Compensation Act (AS 23.-
3 30).

4 * Sec. 3. AS 26.05.260(e) is repealed and reenacted to read:

5 (e) If a member of the Alaska National Guard or Alaska Naval Mil-
6 itia dies as a result of a disability suffered while on active service
7 under AS 26.05.070 and while lawfully performing his or her duties, in-
8 cluding transit to and from his or her home of record, death benefits
9 shall be paid to the persons in the amounts specified in AS 23.30.215.

10 * Sec. 4. AS 26.05.260 is amended by adding a new subsection to read:

11 (h) In this section, "member" means an active commissioned or
12 warrant officer or enlisted man or woman in the Alaska National Guard
13 or Alaska Naval Militia.

14 * Sec. 5. AS 26.05.265 is amended to read:

15 Sec. 26.05.265. REENLISTMENT BONUS. (a) A bonus shall be paid
16 to an enlisted [A] person who, at the time his or her enlistment is com-
17 pleted, reenlists or extends an enlistment in the Alaska National Guard
18 or the Alaska Naval Militia for six years. The bonus is \$3,000 payable
19 in the amount of \$1,000 at the satisfactory completion of the second
20 year of reenlistment or extension, \$1,000 at the satisfactory comple-
21 tion of the fourth year, and \$1,000 at the satisfactory completion of
22 the sixth year [A SUM EQUAL TO 10 DAYS OF BASIC PAY FOR EACH YEAR HE
23 REENLISTS OR EXTENDS HIS ENLISTMENT, COMPUTED ACCORDING TO A MEMBER'S
24 GRADE AT THE END OF EACH QUALIFYING YEAR AND PAYABLE AT THAT TIME.
25 PAYMENT OF A BONUS IS CONTINGENT UPON THE MEMBER SATISFACTORILY PARTI-
26 CIPATING IN UNIT TRAINING ACTIVITIES FOR THE YEAR FOR WHICH PAYMENT IS
27 TO BE MADE].

28 (b) An enlisted person who has a break in service of more than 30
29 days forfeits his or her eligibility for a reenlistment bonus.

1 * Sec. 6. AS 26.05.296(a) is amended to read:

2 (a) To the extent funds are available, the adjutant general
3 shall authorize the payment of not more than 50 percent of the cost of
4 tuition and required fees for each active or retired [MALE OR FEMALE]
5 member of the Alaska National Guard or the Alaska Naval Militia who at-
6 tends an educational, vocational, or technical training school in Alas-
7 ka. Payments authorized under this section continue so long as the ac-
8 tive member participates satisfactorily in unit training activities or
9 a retired member is on the retired list and pursues the course of study
10 in a manner acceptable to the school.

11 * Sec. 7. TRANSITION. AS 26.05.265 as amended in sec. 5 of this Act
12 does not apply to persons who reenlisted or extended an enlistment in the
13 Alaska National Guard or the Alaska Naval Militia before July 1, 1981.

14 * Sec. 8. AS 26.05.260(c), (f), and (g) are repealed.

15 * Sec. 9. This Act takes effect July 1, 1981.
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