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# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF



P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 485-4907

## Senate Committee on Resources

TO: Senate Resources Committee Members, April 11, 1986  
FROM: Senate Resource Committee Staff *ME*  
RE: CS for HB 21(Rules)am "An Act relating to homesites for veterans."

This bill would exempt veterans who qualify for a homesite entry permit from reimbursing the state for surveying costs. The rules CS would limit the definition of veteran to persons honorably discharged from the armed services who served during a war.

Attached are two different fiscal notes for the bill. DNR has been requested to present to testify and explain the differences .

OK  
Supp 52

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: CSHB 21(Fin)  
Title: Homesites for Veterans

FISCAL DETAIL

Agency Affected: Natural Resources  
Program Category Affected: \_\_\_\_\_

Sponsor: Goll  
Requestor: \_\_\_\_\_  
Date of Request: 4/15/85

BRU, Program or Subprogram(s) Affected:  
Land and Water Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		0				
400 SUPPLIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS		0				
800 MISCELLANEOUS		0				
<b>TOTAL OPERATING</b>		0				
<b>CAPITAL</b>		0				
<b>REVENUE</b>		(86.0)				

FUNDING: (Thousands of Dollars)

GENERAL FUND	0				
FEDERAL FUNDS	0				
OTHER	0				
<b>TOTAL</b>	0				

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: Attach a separate page if necessary

Any funds necessary to implement this bill can be absorbed within the agency's existing budget.

APA

Prepared By: Al Adams, Chair  
Division: House Finance Committee

Phone: 465-3706  
Date: 4/15/85

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

7/1/84

**STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE**

Revision Date: 2/4/86

**REQUEST**

Bill/Resolution No.: CS HB 21 (Rules)  
 Title: An Act Relating to Homesites  
 for Veterans

Sponsor: Goll Szymanski  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: Natural Resources  
 BRU: Land & Water Management

Components: \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL		24.5	4.3	4.3	4.3	4.3
CONTRACTUAL						
SUPPLIES		0.5	0.2	0.2	0.2	0.2
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>25.0</b>	<b>4.5</b>	<b>4.5</b>	<b>4.5</b>	<b>4.5</b>

CAPITAL						
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REVENUE		(45.0)	(45.0)	(45.0)	(45.0)	(45.0)
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		25.0	4.5	4.5	4.5	4.5
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>25.0</b>	<b>4.5</b>	<b>4.5</b>	<b>4.5</b>	<b>4.5</b>

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Prepared by: Gary Gustafson Phone: 465-2400  
 Division: Land & Water Management Date: 2/4/86

Approved by Commissioner: Wm D Amel, Deputy Date: 2.4.86  
 Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

February 4, 1986

ANALYSIS:

Operating expenditures will be minimal in the implementation of this bill. Of approximately 2200 homesite entry permits now issued, 20 percent are held by veterans. As much as \$25,000 will be required to obtain and review necessary documentation of eligibility of these permittees. This figure covers management, clerical, typing, and postage costs. At projected rate, homesite entry permittees authorized after implementation of this bill will require an additional annual increment of \$4500 to administer.

A net revenue loss will be incurred with this bill as follows. 20 percent of the total number of homesites issued is 440. At an average cost of \$1450 for surveying and platting each homesite, the total forgiveness of these costs is \$640,000 over the next ten years. In addition, at the current rate of 75 homesites per year, an additional 15 will be issued to veterans. This will further increase the revenue loss by \$22,000 per year. Using these figures a net annual revenue loss of \$86,000 will be incurred. Of course, as the program becomes more attractive the percentage of veterans in the numbers, and consequently the net annual revenue loss, will increase.

Part time position in FY 86 is for clerical staff.

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\* DELIVER TO: JFOM \*  
\*  
\* ORIGINAL \*  
\* SENT: 02/13/86 TIME: 11:55 \*  
\* FROM: MAXINE WALTON \*  
\* SUBJECT: FOM/FBX \*  
\* PRINT DATE: 02/13/86 TIME: 11:55 \* 14 \*  
\*  
\*\*\*\*\*

TO: SENATE RESOURCES

SENS: STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF, HALFORD,  
COGHILL, V. FISCHER

ALSO: SENATOR BENNETT  
REPS FRANK, M.W. MILLER, RINGSTAD, KOPONEN, DAVIS

FROM: KENT LYON  
BOX 82663  
FAIRBANKS 99708

PH: 452-6815

RE: CS HB 21 RLS AM HOMESITES FOR VETERANS

MSG: I WOULD LIKE TO VOICE STRONG SUPPORT FOR THIS VET HOMESITE  
BILL.

Offered: 5/2/85  
Referred: Rules

Original sponsors: Goll, Szymanski  
and Pignalberi

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

CS FOR HOUSE BILL NO. 21 (Rules) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to homesites for veterans."

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

8 \* Section 1. AS 38.08 is amended by adding a new section to read:

9           Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who <sup>after the effective date</sup> qualifies  
10 for a homesite entry permit under AS 38.08.030 and who complies with  
11 the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may  
12 not be required to reimburse the state for the costs incurred by the  
13 state in surveying and platting undertaken by the state in accordance  
14 with this chapter.

at this bill,

15 \* Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

16           (4) "veteran" means a person honorably discharged, or with  
17 a general discharge under honorable conditions, from the armed  
18 services of the United States who has performed service in the armed  
19 forces of the United States for a period of 180 days or more during  
20 one or more of the following periods unless a shorter period of  
21 service resulted from a service connected injury or disability:

- 22           (A) between April 6, 1917 and December 1, 1918;
- 23           (B) between September 16, 1940 and July 25, 1947;
- 24           (C) between June 25, 1950 and January 31, 1955; or
- 25           (D) between August 4, 1964 and October 14, 1976.

Frank says this  
includes everything  
but dishonorable

check definition  
of veteran

I don't think it is retroactive with  
existing language but the amendment  
above would remove any doubt.

*2/10/86*

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : CS HB 21 (Res)  
 Title : Homesites for Veterans  
 \_\_\_\_\_  
 Sponsor : Representative Goll  
 Requestor : \_\_\_\_\_  
 Date of Request : 2/4/86

**FISCAL DETAIL**

Agency Affected : Natural Resources  
 BRU : Land & Water Management  
 \_\_\_\_\_  
 Components : \_\_\_\_\_  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-				
TRAVEL		-0-				
CONTRACTUAL		-0-				
SUPPLIES		-0-				
EQUIPMENT		-0-				
LAND & STRUCTURES		-0-				
GRANTS, CLAIMS		-0-				
MISCELLANEOUS		-0-				
<b>TOTAL OPERATING</b>		-0-				

CAPITAL		-0-				
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REVENUE		(86.0)				
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		-0-				
FEDERAL FUNDS		-0-				
OTHER		-0-				
<b>TOTAL</b>		-0-				

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Any funds necessary to implement this bill can be absorbed within the agency's existing budget.

Prepared by : Representative Al Adams - Chairman *APA*  
 Division : House Finance Committee

Phone : 465-3706  
 Date : 2/4/86

Approved by Commissioner : \_\_\_\_\_  
 Agency : \_\_\_\_\_

Date : \_\_\_\_\_

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

*NEW 1986  
 under Budget  
 Reports*

Introduced: 1/14/85  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY GOLL

2

HOUSE BILL NO. 21

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to homesites for veterans."

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

8 \* Section 1. AS 38.08 is amended by adding a new section to read:

9           Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who qualifies  
10           for a homesite entry permit under AS 38.08.030 may not be required to  
11           reimburse the state for the costs incurred by the state in surveying  
12           and platting undertaken by the state in accordance with this chapter.

13 \* Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

14           (4) "veteran" means a person who

15                           (A) performed service in the armed forces of the  
16           United States for a period of 180 days or more during one or more  
17           of the following periods unless a shorter period of service  
18           resulted from a service connected injury or disability:

19                           (i) between April 6, 1917 and December 1, 1918;

20                           (ii) between September 16, 1940 and December 31,  
21                           1947;

22                           (iii) between June 25, 1950 and January 31, 1955;

23                           or

24                           (iv) between August 4, 1964 and November 7, 1975;

25                           (B) received an honorable discharge,

Offered: 2/1/85  
Referred: Finance

Original sponsor: Goll

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 CS FOR HOUSE BILL NO. 21 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL  
6 For an Act entitled: "An Act relating to homesites for veterans."  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 38.08 is amended by adding a new section to read:  
9 Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who qualifies  
10 for a homesite entry permit under AS 38.08.030 and who complies with  
11 the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may  
12 not be required to reimburse the state for the costs incurred by the  
13 state in surveying and platting undertaken by the state in accordance  
14 with this chapter.

15 \* Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:  
16 (4) "veteran" means a person who  
17 (A) performed service in the armed forces of the  
18 United States for a period of 180 days or more during one or more  
19 of the following periods unless a shorter period of service  
20 resulted from a service connected injury or disability;

21 (i) between April 6, 1917 and December 1, 1918;  
22 (ii) between September 16, 1940 and December 31,  
23 1947;

24 (iii) between June 25, 1950 and January 31, 1955;  
25 or

26 (iv) between August 4, 1964 and November 7, 1975;  
27 (B) received a discharge under honorable conditions.



# Alaska State Legislature

HOUSE OF REPRESENTATIVES  
COMMITTEE ON RESOURCES

POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3715

January 30, 1985

The Honorable Al Adams  
Chairman, House Finance Committee  
House of Representatives  
Pouch V  
Juneau, AK 99811

Dear Representative Adams:

It was brought to the House Resources Committee's attention as CSHB 21 (Res) was being passed out of the committee today in final form, that a small technical change should be made in the bill. That change involves line 27, after the word received insert an honorable discharge or ... a discharge under honorable conditions. This addition will clarify the type of discharged veterans who should receive the benefits of this legislation as explained by Representative Goll who is the prime sponsor of this piece of legislation. It was decided that this change could be addressed in the House Finance Committee for reasons of expediency.

If you have any questions regarding this matter, please feel free to contact me or my staff at 465-3715.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dick Shultz".

Representative Dick Shultz, Co-Chair  
House Resources Committee

DS:tem

Offered: 4/18/85  
Referred: Rules

Original sponsors: Goll and Szymanski

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 21 (Finance)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to homesites for veterans."

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

8 \* Section 1. AS 38.08 is amended by adding a new section to read:

9           Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who qualifies  
10 for a homesite entry permit under AS 38.08.030 and who complies with  
11 the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may  
12 not be required to reimburse the state for the costs incurred by the  
13 state in surveying and platting undertaken by the state in accordance  
14 with this chapter.

15 \* Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

16           (4) "veteran" means a person honorably discharged from the  
17 armed services of the United States who has at any time resided con-  
18 tinuously for at least one year in the state and who has performed  
19 service in the armed forces of the United States for a period of 180  
20 days or more during one or more of the following periods unless a  
21 shorter period of service resulted from a service connected injury or  
22 disability:

- 23           (A) between April 6, 1917 and December 1, 1918;  
24           (B) between September 16, 1940 and July 25, 1947;  
25           (C) between June 25, 1950 and January 31, 1955; or  
26           (D) between August 4, 1964 and November 7, 1975.

Offered: 5/ 2/85  
Referred: Rules

Original sponsors: Goll and Szymanski

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

CS FOR HOUSE BILL NO. 21 (Rules)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to homesites for veterans."

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

8

\* Section 1. AS 38.08 is amended by adding a new section to read:

9

Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who qualifies for a homesite entry permit under AS 38.08.030 and who complies with the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may not be required to reimburse the state for the costs incurred by the state in surveying and platting undertaken by the state in accordance with this chapter.

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\* Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

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(4) "\_\_\_\_\_ honorably discharged from the armed services of the United States who has performed service in the armed forces of the United States for a period of 180 days or more during one or more of the following periods unless a shorter period of service resulted from a service connected injury or disability:

(A) between April 6, 1917 and December 1, 1918;

(B) between September 16, 1940 and July 25, 1947;

(C) between June 25, 1950 and January 31, 1955; or

(D) between August 4, 1964 and November 7, 1975.

TITLE 18.

Health and Safety.

CHAPTER 55.

Housing, Urban Renewal, and Planning Assistance.

ARTICLE 2.

Moderate Cost and Rental Housing.

CITATION Sec. 18.55.470.

(5) "veteran" means a person honorably separated from the military service of the United States who has at any time resided continuously for at least a year in the state and who served in the armed forces of the United States for at least 90 days or whose service was for less than 90 days because of injury or disability incurred in the line of duty, between:

(A) September 16, 1940 and July 25, 1947; (B) June 25, 1950 and January 31, 1955; or (C) August 4, 1964 and November 7, 1975. "veteran" also includes the spouse or widow or widower of a veteran.

TITLE 18.

Health and Safety.

CHAPTER 56.

Alaska Housing Finance Corporation.

CITATION Sec. 18.56.098.

SPECIAL MORTGAGE LOAN PURCHASE PROGRAM.

(j) If the money used to purchase a mortgage loan made to a veteran under this section comes from an issue of bonds of the corporation guaranteed by the state, each bond must be issued as part of an issue substantially all of the proceeds of which are used to provide residences for qualifying veterans. In this subsection a qualifying veteran is a person who is a "qualified veteran" as the term is defined or may subsequently be defined under the Mortgage Subsidy Bond Tax Act of 1980 (26 U.S.C. 103A), as amended.

TITLE 26.

Military Affairs and Veterans.

CHAPTER 10.

Veterans.

ARTICLE 2.

Miscellaneous Provisions.

CITATION Sec. 26.10.060.

EXTENSION OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT PROVISIONS TO ALASKA EMPLOYEES.

(b) As used in this section, "veteran" means a person subject to the Universal Military Training and Service Act.

(A) Add WWI

180

←

(B)

(D)

TITLE 26.

Military Affairs and Veterans.

CHAPTER 10.

Veterans.

ARTICLE 2.

Miscellaneous Provisions.

CITATION Sec. 26.10.080.

DEATH GRATUITY.

(2) "veteran" means

(A) a person who served in a branch of the armed services of the United States

(i) who at the time of entry into the service was a resident of the territory or state, who had been a resident for not less than one year immediately before entry into the service, and who returned to the territory or state within one year after discharge as a resident with the intention of remaining in the territory or state; or

(ii) who was a resident of the state for not less than one year immediately preceding the time of death; or

(B) a person who served in the Alaska Army National Guard, the Alaska Air National Guard, or the Alaska Naval Militia, or who served in a reserve unit of the United States armed forces in Alaska if the reserve unit required a minimum of one weekend of duty each month and 15 consecutive days of active duty training each year for not less than three years.

TITLE 29.

Municipal Government.

CHAPTER 53.

Municipal Assessment and Taxation.

ARTICLE 1.

Municipal Property Tax.

CITATION Sec. 29.53.020.

REQUIRED EXEMPTIONS.

(1) "disabled veteran" means a disabled person separated from the military service of the United States under a condition that is not dishonorable who is a resident of the state, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as 50 percent or more by the branch of service in which that person served or by the Veterans' Administration;

TITLE 29.

Municipal Government.  
CHAPTER 73.  
Miscellaneous Provisions.

CITATION Sec. 29.73.060.

PROPERTY TAX EQUIVALENCY PAYMENTS.

(e) In this section "disabled veteran" means a disabled person separated from the military service of the United States under a condition that is not dishonorable who is a resident of the state, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as 50 percent or more by the branch of service in which that person served or by the Veterans' Administration.

TITLE 38.

Public Lands.  
CHAPTER 05.  
Alaska Land Act.  
ARTICLE 2.  
Sale of Lands.

CITATION Sec. 38.05.067.

VETERANS PREFERENCE.

(d) In this section "veteran" means a person with 90 days or more of active service in the armed forces of the United States who has been honorably discharged.

(e) This section does not apply to the sale of state land under AS 38.04.020(g)(2) and AS 38.09.

TITLE 39.

Public Officers and Employees.  
CHAPTER 25.  
State Personnel Act.  
ARTICLE 3.  
Personnel Rules.

CITATION Sec. 39.25.150.

SCOPE OF THE RULES.

(A) "veteran" means a person with 181 days or more active service in the armed forces of the United States who has been honorably discharged after having served during any period between April 6, 1917, and December 1, 1919, between September 16, 1940, and December 31, 1947, or between June 27, 1950, and November 7, 1975;

(B) "disabled veteran" means a veteran who is entitled to compensation under laws administered by the United States Veterans' Administration, or a person who was honorably discharged or released from active duty because of a service-connected disability;

TITLE 26.

Military Affairs and Veterans.

CHAPTER 15.

Veterans Loans.

CITATION Sec. 26.15.130.

ELIGIBILITY FOR LOANS.

TEXT

(a) Qualifications for loans under this chapter are:

(1) persons who served in the armed forces of the United States for 90 days or more, or whose service was for less than 90 days because of injury or disability incurred in the line of duty, between April 6, 1917, and November 11, 1918, and beginning September 16, 1940, to November 7, 1975, or in a combat zone during any period of armed conflict, who were separated from the armed forces with a discharge other than dishonorable, and

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

(B) who, not being bona fide residents of the territory or state before their entry into the service, have been residents of the territory or state for one or more years;

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

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

(B) the member or veteran served in the armed forces for at least 90 days between September 16, 1940, and July 25, 1947, but no benefits for loans accrue to dependents of an enlistee or re-enlistee for time served after November 1, 1945, regardless of whether the enlistment or reenlistment was before or after November 1, 1945; and

(C) the member or veteran died before the official date of the termination of that war; and

(D) the member's or veteran's discharge was not dishonorable;

(3) persons who have served in the Alaska Army National Guard or the Alaska Air National Guard or the Alaska Naval Militia for not less than six years and who have not received a discharge other than honorable.

(b) Dependents shall be unmarried and the deceased member of the armed forces or deceased veteran shall have been their chief means of support and they shall be either a widow, widower, minor son, minor daughter, or mother, father, sister or brother incapable of self-support. Dependents shall be residents of the territory or state at the time of making application and intend to reside in the territory or state permanently. The rights of minor children may be exercised only if they have no surviving parent and have an appointed guardian who may apply on their behalf to secure a loan for their care, support, education or other purposes mentioned in AS 26.15.040 or to receive the bonus

TITLE 26.

Military Affairs and Veterans.

CHAPTER 15.

Veterans Loans.

CITATION Sec. 26.15.160.

TEXT

EXTENSION OF CHAPTER TO VETERANS OF KOREA AND VIET NAM.

The provisions of this chapter, except those provisions relating to the payment of bonuses, are extended to persons who served other than dishonorably on active duty between June 25, 1950, and January 31, 1955, who served other than dishonorably on active duty between August 4, 1964, and November 7, 1975, and to dependents of such persons, subject to the following provisions and eligibility qualifications.

(1) Persons are eligible

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

(B) who at the time of entry into the service were bona fide residents of the territory or State of Alaska and had been residents of the territory or state for not less than one year before their entry into the service; and who have returned to the territory or state within a reasonable length of time after discharge or separation as residents with the intention of remaining in the territory or state; or who, not being bona fide residents of the territory before their entry into the service, have lived in the territory or state for at least five years following their release from active military service; and

(C) who served in the armed forces of the United States for 90 days or more, or whose service was for a lesser period because of injury or disability incurred in line of duty, between June 25, 1950, and January 31, 1955, or who served in the armed forces of the United States for 90 days or more or whose service was for a lesser period because of injury or disability incurred in line of duty, between August 4, 1964, and July 1, 1977.

(2) Persons are eligible who were dependent upon a member of the armed forces or upon a veteran eligible for the benefits of this chapter at the time of the member's or veteran's death if the member or veteran was a resident of the territory for one year before entry into service and died before November 5, 1975. Dependents shall be unmarried and the deceased veteran or member of the armed forces shall have been their chief means of support and they shall be either a widow, widower, minor child, or a mother, father, sister, or brother incapable of self-support. Dependents shall be residents of the state at the time of application and shall intend to remain residents in the state permanently. The rights of minor children under this chapter may be exercised only if they have no surviving parent and have an appointed guardian who may apply on their behalf for the benefits of this chapter for their care, support or education.

(3) No person unless he has lived in the state or territory for at least five years following his release from active military service is eligible for the benefits of this section who is eligible for veterans' benefits under the laws of any other state or territory. A World War II veteran who received a bonus under AS 26.15.120 and 26.15.150 need not repay the bonus in order to qualify under the loan provisions of this section.

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

MEMORANDUM

TO: Representative Peter Goll  
FROM: Loren Jones  
DATE: February 1, 1985  
RE: Discharge status....HB 21

Per your request I contacted the Veterans Administration in Anchorage. The Director, Dave Barrett, referred me to Mr. Mike Sheehy who is the Adjudication Officer. In that job he must decide on eligibility for benefits that are based upon discharge status of the individual. He related the following information.

TYPES OF DISCHARGES

1. Honorable - Qualifies for all benefits
2. General - Qualifies for all benefits
3. Other Than Honorable - There must be an independent decision made as to qualifications for benefits
4. Dishonorable - Barred from all benefits

New discharges added in past years

5. Entry Level Separation - Qualifies for benefits if length of service also qualifies for benefits
6. Void Enlistments - There must be an independent decision made as to qualifications for benefits
7. Dropped From The Rolls - There must be an independent decision made as to qualifications for benefits.

I asked about "medical discharges" and how that would fit with the above. Mike stated that "medical" was a REASON for the discharge not the CHARACTER of the discharge. Thus it is possible to have any of the above discharges and have medical reasons. Mike stated that under most normal circumstances, discharges for medical reasons are Honorable or General.

Mr. Sheehy states that it is certainly the states right to be more strict when it comes to detailing benefits for veterans under state programs.

The current language in CSHB 21 "received a discharge under honor conditions" would relate to discharges 1,2, & 5 above.

The language suggested to the finance committee from the resources committee would change the bill to read "received an

honorable discharge or discharge under honorable conditions." would relate to discharges 1,2, & 5 above.

It is my assumption that what you desire and what the resource committee desire is provided under either language.

If you desire to become specific your could use the names of the discharges you specifically want to include.