

**HB**

**373**

**HFIN**

**FILE**

(11)

# HOUSE COMMITTEE REPORT

Date Referred to Committee: February 29, 1996

FURTHER REFERRALS:

Date of Committee Action: \_\_\_\_\_

The FINANCE Committee considered:

HB 373

HOUSE BILL NO. 373

EDUC FOR FAMILY OF DECEASED MILITARY

"An Act relating to educational benefits for family members of deceased members of the armed services."

recommends it be replaced  
with the following committee substitute \_\_\_\_\_

the same title  
 a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

fiscal note(s) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
Died				
in				
committee				

CHAIR'S SIGNATURE \_\_\_\_\_

Moved 3/14/96

9-LS1365VA.1 ✓

Ford  
3/4/96

AMENDMENT 1

OFFERED IN THE HOUSE

BY REPRESENTATIVE MARTIN

TO: HB 373

1 Page 1, line 2, after "services":

2       Insert "; and providing for an effective date"

3 Page 3, after line 8:

4       Insert new bill sections to read:

5       "\* Sec. 3. This Act is retroactive to September 1, 1995.

6       \* Sec. 4. This Act takes effect immediately under AS 01.10.070(c)."

REPRESENTATIVE  
**TERRY MARTIN**  
CHAIRMAN  
BUDGET & AUDIT COMMITTEE  
MEMBER  
HOUSE FINANCE COMMITTEE

# Alaska State Legislature



MAY 15 - JAN 15 258-8169  
716 W. 4TH, SUITE 650  
ANCHORAGE, AK 99504

JAN 15 - MAY 15 465-3783  
STATE CAPITOL  
JUNEAU, AK 99801-1182

HOME 333-6990  
355 DONNA DRIVE, #11  
ANCHORAGE, AK 99504

## SPONSOR STATEMENT HB373

### Educational benefits for family members of deceased members of the Armed Forces

On September 22, 1995 the United States Air Force AWACS Yukla 27 crashed at Elmendorf Air Force Base, killing all 24 crew members. The tragedy spurred an overview of current statutes addressing tuition and dorm waivers for the victims' family members in state supported educational institutions.

This legislation is directed towards surviving dependents of all Alaska military residents enlisted in branches of the Armed Services, including the Alaska National Guard and the Alaska Naval Militia, that were killed in the line of duty. Specifically, HB373 adds a new subsection to the existing provision by entitling the spouse or dependent child of a victim to a waiver of room charges through student housing and to a stipend of \$200 per month for each month of enrollment.

In light of the dedication and great risk faced by members of the military, this small "benefit" is most appropriate in assisting victims' families when a horrible event like that of the Yukla 27 disaster arises.



STATE OF ALASKA  
1996 LEGISLATIVE SESSION

FISCAL NOTE

No. 1  
Version: HB 373  
(H) Publish Date: 2/29/96

Revision Date: February 28, 1996  
Title: An Act relating to educational benefits for family members of deceased members of the armed services  
Sponsor: Representatives Martin, Barnes, Mulder  
Requestor:

Department Affected: University of Alaska  
BRU: All  
Component: All

COMPONENT SERIAL NO.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	13.6	13.6	13.6	13.6	13.6	13.6
TOTAL OPERATING	13.6	13.6	13.6	13.6	13.6	13.6

CAPITAL						
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REVENUE FD SOURCE						
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FUNDING: (Thousands of Dollars)

1002 FEDERAL FUNDS						
1003 GF MATCH						
1004 GENERAL FUND	13.6	13.6	13.6	13.6	13.6	13.6
1006 GF/MHTIA						
OTHER						
TOTAL FUNDING	13.6	13.6	13.6	13.6	13.6	13.6

POSITIONS:						
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

This bill provides a \$200/month stipend and waives tuition, dorm and other fees for qualifying persons while enrolled at the University of Alaska. The estimated cost of these provisions for one full-time student per year is approximately \$6,800 in FY96 dollars. Based on our history of persons receiving benefits under the existing legislation, we have included a fiscal note to fully cover two students/year. In the event of a catastrophic loss that significantly increases the number of persons qualifying for and ultimately utilizing these benefits, the university will seek supplemental funding from the legislature.

Prepared by: Heather J. Edman  
Division: Statewide Budget Office

Phone: 463-3086  
Date: 2-28-96

Approved by: Marvlon Burton, Director  
Agency: Statewide Budget Office

Date: 2-28-96

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

COMMITTEE COPY

Section	Section
310. Military courts for the Alaska militia	326. Appeal from court-martial convictions
320. General court-martial	330. Expenses of military courts
322. Special court-martial	340. Miscellaneous provisions
324. Summary court-martial	350. Short title

**Sec. 26.05.010. Alaska militia established.** (a) The militia of the state consists of all able-bodied citizens of the United States and all other able-bodied persons who have declared their intention to become citizens of the United States, who reside in the state, who are at least 17 years of age, and who are eligible for military service under the laws of the United States or this state.

(b) The militia is divided into two classes:

(1) the organized militia, consisting of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Militia, and

(2) the unorganized militia, consisting of all qualified persons available for service but not serving in the organized militia.

(c) The adjutant general may, by regulation, prescribe the maximum age for eligibility in the militia. (§ 2 ch 150 SLA 1955; am § 1 ch 44 SLA 1968; am § 1 ch 141 SLA 1972; am § 1 ch 5 SLA 1987)

*Collateral references.* — 53 Am. Jur. 2d, Military, and Civil Defense, § 1 et seq.; 54 Am. Jur. 2d, Military, and Civil Defense, § 149 et seq.

57 C.J.S., Militia, § 1 et seq.  
Members of militia as entitled to benefit

of war legislation in nature of moratory statute. 137 ALR 1400; 147 ALR 1311.

Validity and construction of state statutes requiring employers to compensate employees for absences occasioned by military service. 8 ALR4th 704.

**Sec. 26.05.020. Exemption from military service.** The following are exempt from militia service: persons exempt by the laws of the United States, judges of the courts of the state, and members and officers of the state legislature. (§ 3 ch 150 SLA 1955)

**Sec. 26.05.030. Composition of organized militia.** (a) The Alaska National Guard consists of

(1) members of the militia who have voluntarily enlisted and who, upon original enlistment, are organized, armed, equipped, and federally recognized according to the laws of the United States; and

(2) commissioned officers and warrant officers who are citizens of the United States, having the qualifications prescribed by federal law and regulations, and who are appointed and commissioned or warranted by the governor.

(b) Former members of the regular Army, Navy or Marine Corps under 64 years of age may enlist in the Alaska Militia

(c) The Alaska Naval Militia consists of units authorized by the governor, organized, equipped, trained, and administered as prescribed by state and federal law and regulation, and manned by personnel who are

(1) members of the United States Naval Reserve or the United States Marine Corps Reserve and

(2) enlisted, appointed, commissioned, or warranted under the laws and regulations of the United States.

(d) The Alaska State Militia consists of units authorized by the governor, and manned by volunteer personnel qualifying under state law and regulation. All State Militia personnel shall be

(1) appointed, commissioned, or warranted, and assigned by the governor or the adjutant general as the governor's designee;

(2) subject to serve on state active duty at the call and by order of the governor.

(e) [Repealed, § 102 ch 127 SLA 1974.] (§ 4 ch 150 SLA 1955; am § 2 ch 44 SLA 1968; am § 13 ch 141 SLA 1972; am § 102 ch 127 SLA 1974)

*Sec. 26.05.040. Ratification and confirmation of existing military forces. [Repealed, § 38 ch 30 SLA 1992.]*

**Sec. 26.05.050. Authority for organization.** The governor as commander in chief may organize units in communities so requesting and specifically provide for organization of at least two scout battalions in the western and northwestern coastal areas and northern Arctic regions of the state, in accordance with special authority of the United States Department of Defense. (§ 6 ch 150 SLA 1955)

**Sec. 26.05.060. Control of Alaska National Guard and Alaska Naval Militia.** The governor as ex officio commander of the militia of the state has command of the Alaska National Guard and the Alaska Naval Militia while they are not in active federal service. The governor may adopt necessary regulations for them not inconsistent with 48 U.S.C. 473 — 479. Except as otherwise prescribed by those sections, the Alaska National Guard and the Alaska Naval Militia and their members are subject to all federal laws and regulations relating to the National Guard and Naval Militia of the several states and territories and of the United States. (§ 7 ch 150 SLA 1955; am § 1 ch 34 SLA 1973)

**Editor's notes.** — With regard to 48 U.S.C. 473 — 479, cited in this section, page 11732 of the 1970 edition of the United States Code contains the following: "Sections 21 — 488f of this title, applicable to the Territory of Alaska, are omitted from this title since the scope of this title limits it to general and permanent laws applicable to Territories and In-

sular Possessions, and Alaska was admitted into the Union as a State on January 3, 1959. See the notes following the heading of this chapter.

"Many of the provisions encompassed by former sections 21 — 488f of this title were enacted by the Legislature of the State of Alaska on February 19, 1963, as part of the Alaska Statutes."

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 UNIVERSITY OF ALASKA
 

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TO: Tom Anderson, Legislative Aide  
Office of Representative Terry Martin

FROM: Wendy Redman, Vice President  
UA University Relations *W. Redman*

DATE: February 19, 1996

RE: UAA Athletic Scholarships

As we discussed last week, UAA has a variety of athletic scholarships; some include tuition and fees, and others include room, board and books. The typical "full-ride" athletic scholarship would look like this:

TYPICAL YEARLY "FULL-RIDE" ATHLETIC SCHOLARSHIP

Tuition <sup>1</sup>	\$ 1,992.0
Fees	\$ 160.0
Room/Board <sup>2</sup>	\$ 6,310.0
Books <sup>3</sup>	\$ 400.0
TOTAL	\$ 8,862.0

<sup>1</sup> Tuition is calculated at FY97 rates

<sup>2</sup> Room/Board is calculated at \$2,800 Fall Semester and \$3510 Spring Semester

<sup>3</sup> Book stipend of \$200/semester is provided

The difference in the average annual numbers included on the fiscal note and as outlined above are the result of different assumptions. The fiscal note assumes a 15 credit student, where the athletic scholarships assumes a 12 credit student. The athletic scholarship provides for board and books, while the fiscal note provides for a \$200/month stipend for all costs other than tuition and room charges.

2/27/96

(7)

# HOUSE COMMITTEE REPORT

Date Referred to Committee: January 8, 1996

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/27/96

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 373

HOUSE BILL NO. 373

EDUC FOR FAMILY OF DECEASED MILITARY

"An Act relating to educational benefits for family members of deceased members of the armed services."

recommends it be replaced with the following committee substitute \_\_\_\_\_ [ ] the same title [ ] a new title

[ ] additional referral to \_\_\_\_\_ Committee  
[ ] attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
[x] fiscal note(s) University [ ] fiscal note(s) \_\_\_\_\_

[ ] zero fiscal note(s) \_\_\_\_\_ [ ] zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i> G. Davis	✓			
<i>[Signature]</i> Rothenberg	✓			
<i>[Signature]</i> Bunde			✓	
<i>[Signature]</i> Toohy	✓			
<i>[Signature]</i> Vezev			✓	
<i>[Signature]</i> Robinson	✓			
<i>[Signature]</i> Brice			✓	
	(4)		(3)	

CHAIR'S SIGNATURE *[Signature]*