

**S B**

**1 4 3**



Official Business

# Alaska State Legislature

## Senate

### Rules Committee

State Capitol  
Juneau, AK. 99801-1182

#### SPONSOR SUMMARY

#### SB 143 - National Guard Tuition Assistance

Senate Bill 143 would make refinements in the Alaska National Guard tuition assistance program. This modestly funded DMVA program is one of the tools available to the Adjutant General for improving skill levels among personnel, in response to the emerging needs of the Guard.

This bill will strengthen the Guard's recruitment and retention goals, and give more discretion to the Adjutant General for applying educational benefits to the organization's most pressing needs. It will also afford enlisted personnel college and other schooling opportunities necessary for entry into the officer corps, should enlisted Guard members pursue that career path.

In Section 1 of the bill, active enlisted personnel are targeted as the group made eligible for educational assistance in ALASKA educational facilities. Retirees and former members of the Alaska Territorial Guard are excluded from eligibility in order to emphasize the DMVA recruitment and retention objectives. Funds are simply not available for a broader range program.

Section 2 provides that recipients of educational benefits be students in good standing in the program or class undertaken.

Section 3 of Senate Bill 143 gives the Adjutant General the latitude to authorize payment levels up to 100% for tuition and required fees at institutions in Alaska. It also allows the AG to prioritize categories of educational benefits to support vital recruitment and retention objectives.

Section 4 defines a student in good standing for purposes of the program.

Section 5 repeals the noted statute references as unnecessary. The first removes the provision for calculating retirees' eligibility, the second removes the ineligibility for benefits under more than one program, and the third removes the ineligibility if the member is qualified for federal benefits.

If there are questions, please contact Tim Benintendi at 3770.



Official Business

# Alaska State Legislature

## Senate

### Rules Committee

State Capitol  
Juneau, AK. 99801-1182

## MEMORANDUM

**DATE:** March 31, 1997

**TO:** Senator Lyda Green, Chairman  
Senate State Affairs Committee

**FROM:** Senator Tim Kelly, Chairman TDK  
Senate Rules Committee

**SUBJ:** Proposed CS for SB 143 (NG Tuition Assistance)

Staff has done some research on one provision of existing statute, (page 1, line 12 of the bill), which indicates female personnel are eligible for educational assistance upon completing six years of service.

The attached blank CS would remove that language from SB 143 to achieve three objectives. One, would be to render the statute gender-neutral, conforming to federal language on the subject within the 1967 Selective Service Act. Two, it would eliminate any possible interpretation of differing program criteria for men and women in the Guard, now that incentives for female recruitment are not the imperative they were in 1976. And three, it would remove an irrelevant restriction on female members, in that now, the Selective Service Act of 1967 provides for educational assistance for members DURING their first six year enlistment, not AFTER it.

The language was originally placed in statute in 1976, in order to address a recruitment issue as women were beginning to enter the Guard in significant numbers. The language allowed earlier access to educational benefits for women after their first

six years of enlistment. Amending SB 143 by deleting this language will not jeopardize the objective of allowing the Adjutant General to more fully use his/her discretion in the authorization of educational assistance as needed by the Guard.

A review of the language was performed with administrative staff within DMVA, the bill drafter, and legislative research staff. There has been no opposition to deleting the language. The above information and the blank CS are submitted for your consideration.

If there are any questions, please contact Tim Benintendi at 3770.

COMPLIMENTS OF  
ALASKA STATE ARCHIVES

June 4, 1976

The Honorable Jay S. Hammond .  
Governor  
State of Alaska  
Pouch A  
Juneau, Alaska 99811

Re: SCS CSHB 663 (Alaska  
National Guard and  
Alaska Naval Militia)

Dear Governor Hammond:

At your request, we have reviewed SCS CSHB 663, a bill relating to the Alaska National Guard and the Alaska Naval Militia. The original bill was introduced at your request.

The goal of the bill as introduced was stated in your draft transmittal letter to be an authorization to the adjutant general to pay not more than 50 per cent of the cost of tuition and required fees at schools in Alaska for members of the guard so long as the member participates satisfactorily in unit training activities and remains in good standing at the institution. Technical amendments in your proposal would allow women in the guard equal access to the educational benefits and would allow participation for men or women during the initial enlistment; excluded from coverage are those qualifying under V.A. programs or programs established for active or reserve forces other than the Alaska guard.

The legislature changed the bill substantially. The basic program proposed in your bill was moved to sec. 3 of SCS CSHB 663.

A new section 1 continued the existing, but more expensive, program now on the books at AS 26.05.295. The provisions of Sec. 295 are amended to extend the program to women who are members of the guard; they limit the program to enlisted members. Section 2 of the bill adds a subsection to AS 26.05.295 to limit members to benefits under either Sec. 295 or under Sec. 296, but not both; Sec. 296 contains a similar limitation.

COMPLIMENTS OF  
ALASKA STATE ARCHIVES

The Honorable Jay S. Hammond  
Governor

June 4, 1976

- 2 -

In summary, the bill contains the authorization for the program originally requested in HB 663; it also continues and amends present law which the original HB 663 sought to repeal.

We understand that no funding will be available for prior law continued in SCS CSHB 663; we understand \$48,000 is expected to be available to fund what is now contained in Sec. 3 of the bill.

Other than the funding matter, the bill presents no legal or constitutional problems.

Sincerely,

Avrum M. Gross  
Attorney General

AMG:jf:RAB

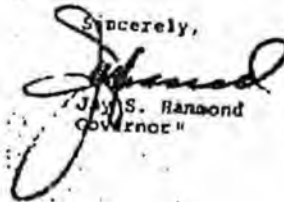
January 27, 1976

HB 662 The social security program is funded to the extent of 50 per cent by the employer. The employer should therefore be entitled to offset the workmen's compensation benefits under AS 23.30 to the extent of 50 per cent of the social security benefits. Section 8 of this bill provides for an offset for social security payments received by an injured worker under the federal statute. That is, where payments are made under the federal statute because of an injury, the weekly benefits payable under the Alaska Workmen's Compensation Act shall be reduced.

Finally, section 1 of the bill amends AS 21.39 by providing that carriers writing a line of workmen's compensation insurance may be required by the director of the division of insurance within the Department of Commerce and Economic Development, when in the public interest, to participate in an assigned risk pool. This provision should stabilize the insurance business in the workmen's compensation insurance market.

Members of my administration are continuing to analyze the problems and statutes in this area and to gather information which should be helpful in resolving those problems. I anticipate that we will be working with you in further refining the amendments proposed in this bill.

Sincerely,



Jay S. Hammond  
Governor

X HB 663 HOUSE BILL NO. 663 by the Rules Committee by request of the Governor, entitled:

"An Act relating to Alaska National Guard and Alaska Naval Militia educational assistance."

was introduced, read the first time and referred to the Committees on State Affairs and Finance.

January 27, 1976

The Honorable Mike Bradner  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. Speaker:

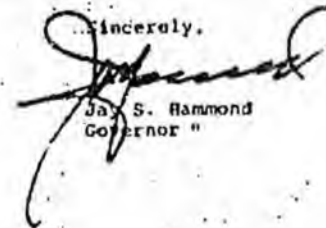
January 27, 1976

HB 663 In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to Alaska National Guard and Alaska Naval Militia educational assistance. The bill authorizes the adjutant general to pay not more than 50 per cent of the cost of tuition and required fees at educational, vocational, and technical training schools in Alaska, so long as the member participates satisfactorily in unit training activities and remains in good standing at the institution.

The amendments in this bill delete references to completion of mandatory military service, thus allowing women who were unable to qualify under that approach, to participate in these benefits. The amendments will also allow participation by members during their initial enlistment; thus it serves as an incentive to recruitment.

Payments will be limited to those who have not qualified under Veterans' Administration programs or educational programs established for active or reserve forces other than the Alaska National Guard and the Alaska Naval Militia.

Sincerely,



Jay S. Hammond  
Governor

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB 121 HOUSE BILL NO. 121 (retirement credit for military service; effective date) was read the second time with the Health, Education and Social Services Committee report (page 214 of the 1975 Journal), the Community and Regional Affairs Committee report (page 365 of the 1975 Journal) and the Finance Committee report (page 112 of the Journal).

Mr. Miller moved and asked unanimous consent that COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 121 (same title) be adopted in lieu of HOUSE BILL NO. 121. There being no objection, it was adopted.

CSHB  
121

Mr. Miller moved and asked unanimous consent that COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 121 be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered and the bill was read the third time.

The question being: "Shall COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 121 pass the House?" The roll was taken with the following result:

Original sponsor: Rules Committee by request  
of the Governor

Offered: 4/29/76  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 663

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 the Alaska National Guard and  
7 Alaska Naval Militia; and providing for an effective  
8 date."

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

10 \* Section 1. AS 26.05.295 is amended to read:

11 Sec. 26.05.295. EDUCATIONAL ASSISTANCE FOR ENLISTED PERSONNEL.

12 (a) Each active enlisted member of the Alaska National Guard or the  
13 Alaska Naval Militia who has completed the initial voluntary enlistment  
14 period of service which fulfills the mandatory requirement for military  
15 service under the Military Selective Service Act of 1967 (PL 90-40; 81  
16 Stat. 100; 50 U.S.C. App., secs. 451 - 456 and 458 - 471) is eligible  
17 for educational assistance benefits in Alaska educational facilities.  
18 Notwithstanding the reference to mandatory military service requirements,  
19 each active enlisted female member is fully eligible for educational  
20 assistance benefits under this section after completing six years of  
21 enlisted service.

22 (b) Educational programs and monetary benefits available to persons  
23 under (a) of this section are based on and equivalent to those of the  
24 federal veterans administration education program.

25 (c) For the purposes of computing eligible benefits under this  
26 section [THE ALASKA EDUCATIONAL ASSISTANCE PROGRAM], each retirement  
27 point earned as a member of the Alaska National Guard or the Alaska  
28 Naval Militia is equivalent to one day's active military service. Com-  
29 putation of credit for retirement points is based on the retirement