

HB

331

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 3, 2000

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/21/00

The STATE AFFAIRS Committee considered:

HB 331

HOUSE BILL NO. 331

ALASKA NATL GUARD/NAVAL & STATE MILITIA

"An Act relating to payment, allowances, and benefits of members of the Alaska National Guard and Alaska Naval Militia in active service; relating to computation of certain benefits for members of the Alaska State Militia; and providing for an effective date."

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) DMVA

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Glennette James</i>	✓			
<i>Odene Sue Wiley</i>	✓			
<i>James H. ...</i>			✓	
<i>Bill Huls</i>	✓			

CHAIR'S SIGNATURE *Glennette James*

HB 331

TONY KNOWLES
GOVERNOR
GOVERNOR OF THE STATE OF ALASKA

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

P.O. Box 11000
Juneau, Alaska 99801-1100
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February 1, 2000

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Porter:

When members of the Alaska National Guard and Alaska Naval Militia are called to active service for the state, it's important they be adequately compensated for their valuable work in a timely manner. To that end, this bill simplifies the pay scale and system for the Alaska National Guard (ANG) and Alaska Naval Militia (NM).

Currently, when called to state active duty, members of the ANG and NM receive pay and allowances equal to those provided by federal law for members of equivalent grades of the United States armed forces. Daily minimum pay is determined by grade and years of service with a statutory minimum. Allowances include food, housing, cost-of-living increase, and quarters and are determined based on the circumstances of each individual.

Calculating pay and allowances under the current law requires obtaining information from the federal government regarding current pay scales and allowance amounts. This can cause significant delays in payment of ANG and NM members. It is also a labor-intensive system involving numerous manual calculations with an unreasonable chance for errors.

This bill simplifies the pay system for state active duty by retaining statutory minimum pay, disregarding years of service, and eliminating allowances. Members will simply receive 200 percent of the minimum basic pay for a member of an equivalent grade in the active military -- or the statutory minimum, if greater. Simplifying the calculation will save administrative time and will result in members of the ANG and NM receiving their checks in a more timely fashion.

The Honorable Brian Porter
February 1, 2000
Page 2

The bill also provides that this proposed new pay scale will be used to calculate workers' compensation and death benefits for the organized militia, which includes the Alaska State Militia as well as the ANG and NM.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tony Knowles".

Tony Knowles
Governor

MEMORANDUM

State of Alaska
Department of Law

TO: BG Phillip E. Oates
Commissioner, DMVA

DATE: July 7, 1999

FILE NO:

TEL. NO: 269-5178

SUBJECT: Alaska State Defense Force Pay
Authorization

FROM: Mary A. Gilson
Assistant Attorney General
Governmental Affairs Section, Anchorage

You have requested a legal opinion concerning whether members of the Alaska State Militia (ASM) also known as "the Alaska State Defense Force"¹ can receive pay equivalent to military active duty pay for their services when called to state active duty. As we understand the facts, for a number of years members of the ASM have received pay for their services while in active duty status.² ASM pay rates are based on the member's ASM military grade. Military grades in the ASM mirror the uniformed service and ASM personnel have received pay equivalent to military active duty pay when called to state active duty. Recently questions have arisen regarding the Department of Military and Veterans Affairs' (DMVA) authority to pay the ASM members at this level when they are called to state active duty.

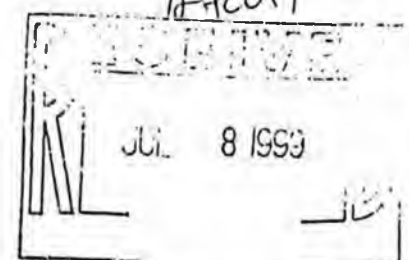
I. Brief Answer

This opinion confirms our previous oral advice that paying ASM members pay equivalent to military active duty pay when called to state active duty is not authorized.

DMVA's longstanding practice of paying ASM members wages equivalent to their military rank within ASM while in active duty status does not in itself provide the authority for such payment. There must be some legal authority. The Alaska statutes provide that the National Guard and Naval militia are to receive pay and allowances equal to those provided for members of equivalent grades of the United States armed forces but there is no similar authorization to pay the ASM at that level. The absence of any statutory language authorizing payment of the ASM for state active duty at a level equivalent to the active military compels the conclusion that, under existing law, such payment is not legally authorized. Legislative action is necessary to provide authorization. Our department can provide assistance in drafting such legislation if desired.

¹ The "Alaska State Militia" is commonly known as the "Alaska State Defense Force". This may be as a result of federal statutory language which provides that states can maintain a "defense force" in addition to the National Guard. See 32 U.S.C. 109(c).

² The ASM does not receive pay for attending training and routine drills.



ASM members who are hired as emergency employees or some other class of state employee would, of course, be paid but the pay would be based on the job classification not on their ASM military grade. Emergency employees can be appointed for up to 30 days if immediate action is needed to carry on work that is required in the public interest. AS 39.25.200(3). Therefore, ASM members could be called out and appointed as emergency employees. Using this mechanism, pay would be authorized. The procedures for appointing emergency employees would have to be followed and, as noted, the pay level would not be tied to active military pay levels but would be related to the work performed.

Any ASM forms, written procedures, manuals, etc. should be reviewed to ensure that any reference to military pay for services is removed. Notice should be sent immediately to all ASM members that there has been a determination that under current law there is no authority for the ASM to be paid military pay for state active duty, and therefore, until there is a change in the law, there will be no payment for future deployments. The notice should state that pay is authorized if a member is hired as an emergency employee or nonpermanent employee, but the amount would depend on the job class not on military rank.

To ensure effective notice, there should be no deployments until such notice is given.

II. Analysis

A. ASM Background and Composition

Federal law provides that in addition to the National Guard, a state may provide and maintain at its own expense a defense force. 32 U.S.C. 109(c); Perpich v. Dept. of Defense, 110 S. Ct. 2418, 2429 (1990). Federal law does not address whether a state defense force is to be paid when called out to active duty.

The Military Code of Alaska, AS 26.05.010 – AS 26.05.350, provides the state statutory scheme governing the operation of the ASM. There are no state regulations. The ASM is established under AS 26.05.010 as part of Alaska's "organized militia." The organized militia in Alaska consists of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Militia. AS 26.05.010(b)(1). The ASM became part of the organized militia in 1968. Secs. 1-2, ch. 44, SLA 1968. Enlistment in the ASM is voluntary. AS 26.05.100 The composition of the ASM is addressed under AS 26.05.030(d) which provides:

(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.

B. Role of the ASM

The role of the ASM is to augment the National Guard or Naval Militia or to act in their stead when those forces are not available. AS 26.05.100. That section provides:

A state militia may be organized through voluntary enlistments under regulations as to discipline and training which may be prescribed by the governor. During the time that the Alaska National Guard or the Alaska Naval Militia, or any part of either of them, is not available to the state by reason of active federal service, or the National Guard or Naval Militia requires augmentation to perform its state mission, the governor may activate the state militia. (Emphasis added.)

AS 26.05.070 outlines the circumstances which may trigger the governor's use of the organized militia – which as noted above, includes the ASM. Under AS 26.05.070, the Governor may order the organized militia into active state service when needed in the case of events such as war, disaster, catastrophe, riots, etc. or when responsible civil authorities fail to preserve law and order or protect life and property, or the governor believes such failure is imminent. See AS 26.05.070.

If called into active service, the ASM, like other parts of the organized militia, functions as an additional police force retaining its separate identity and operating as a military organization under separate command. The ASM cooperates with, but does not supercede civilian law enforcement. They are "to execute the laws and to perform duties in connection with them that the governor considers proper," and can take action ". . . for the re-establishment of law and order and for the protection of life and property." AS 26.05.070. For example, ASDF personnel assisted in search and rescue after a recent avalanche.

C. Payment of the ASM

Pay and allowances under the Military Code are specifically addressed in AS 26.05.260(b). AS 26.05.260(b) provides in pertinent part:

(b) Members of the Alaska National Guard and Alaska Naval Militia are entitled to receive, for each day of active service under AS 26.05.070, pay and allowance equal to those provided by federal laws and regulations for members of equivalent grades of the United States armed forces. However, a member may not receive less than . . . (Emphasis added.)

The plain language of AS 26.05.260(b) authorizes pay and allowances only for members of the Alaska National Guard and Alaska Naval Militia. The ASM is not mentioned. Section AS 26.05.260 has been in existence in various forms since statehood and the ASM has never been mentioned in the section providing for pay and allowances. Until 1972 only components of the National Guard were entitled to pay and allowances. In 1973, the Naval Militia was added to the language of AS 26.05.260 which pertained to pay and allowances. Secs. 9-1, ch. 34, SLA 1973. The legislature had the opportunity at

that time to add the ASM and did not. In 1981 AS 26.05.260 was amended again and AS 26.05.260(b) was enacted in its current form. Secs. 1-4, 8, ch. 56, SLA 1981. There is no legislative history indicating an effort to include the ASM in the section providing for pay and allowances when AS 26.05.260(b) was amended in 1981.

The remaining subsections of AS 23.05.260 address workers' compensation and death benefits. As explained below, none of these subsections provide the authority to pay the ASM for active duty. Under current law, AS 26.05.260(d) provides workers' compensation benefits for members of the organized militia. AS 26.05.260(e) provides death benefits.³

Prior to 1989, only the National Guard or Naval Militia were entitled to workers' compensation or death benefits if injured or killed while on active duty. In 1989 the term "organized militia" was inserted into subsections AS 23.05.260(d) and (e) in place of the term "Alaska National Guard or Alaska Naval Militia." Secs. 1-2, ch. 53, SLA 1989. The purpose of the 1989 amendments was to provide the ASM with the same workers' compensation and death benefits that the other components of the organized militia were already receiving. The legislature could have also amended the pay and allowances subsection 260(b) at that time to substitute "organized militia" for "Alaska National Guard or Alaska Naval Militia," as was done in subsections 260(d) and 260(e), but the legislature chose not to do so.

AS 26.05.260(h) was enacted in 1989 in the same piece of legislation as the amendments to 260(d), (e) discussed above. Sec. 4, ch. 53, SLA 1989.⁴ Subsection 260(h) addresses the level of benefits a member of the ASM is entitled to if injured or killed in the line of duty and bases the computation of benefits on the level of earnings a member of the regular armed forces of equivalent rank would receive.

AS 26.05.260(h) states: "For purposes of computation of benefits under AS 23.30, the earnings of a member of the organized militia will be presumed to be no less than the pay and allowances authorized for a member of the regular armed forces of the United States in the same grade or rank as the organized militia member at the time of the injury or death."

³ AS 26.05.260(d) provides:

A member of the 'organized militia' who, while performing duties under AS 26.05.070, including transit to and from the member's home of record, suffers an injury or disability in the line of duty is entitled to all compensation and benefits available under AS 23.30 (Alaska Workers' Compensation Act) for injuries or disabilities suffered in the line of duty. (Emphasis added.)

AS 26.05.260(e) provides:

If a member of the organized militia dies as a result of an injury or disability suffered in the line of duty while performing duties under AS 26.05.070, including transit to and from the member's home of record, death benefits shall be paid to the person in the amounts specified in AS 23.30.215. (Emphasis added.)

⁴ Subsection (h) was enacted as (i) and renumbered in 1989.

Statutory authorization of workers' compensation and death benefits at a certain level is not equivalent to authorizing payment of wages at that level or any other. Nor does providing workers' compensation and death benefits necessarily imply that wages will be also paid. For example, residents of Alaska temporarily volunteering in a civil defense or disaster relief function for the state are considered employees of the state for the purposes of the Workers' Compensation Act and therefore are entitled to workers' compensation and death benefits if injured or killed while providing services. See AS 23.30.244. However, it cannot be said that AS 23.30.244 provides authority to pay these volunteers wages.

Section 3 of the 1989 legislation amending AS 26.05.260 also amended the definition of the word "member" which is used throughout the section. See sec. 3, ch. 53, SLA 1989. As with the amendments to 260(d) and 260(e), the term "organized militia" replaced "Alaska National Guard or Alaska Naval Militia" in the definition of "member". Under AS 26.05.260 "member" means an active commissioned or warrant officer or enlisted man or woman in the organized militia." (Emphasis added). AS 26.05.260(i).⁵ Expanding the definition of "member" to mean an officer or enlisted person in the "organized militia" is consistent with the amendment to subsections 260(d) and 260(e).

An argument could be made that because the word "member" is also used in subsection 260(b), the ASM is by implication included in pay and allowances. However, we do not believe a court would give much credence to this argument. The language of 260(b) predates the 1989 legislation. The word "member" is used three times in 260(b). The pertinent language is quoted above. The first reference is specifically to "members" of the National Guard or Naval Militia. The second reference is to members of the Armed Forces. The third reference, read in context, relates to the National Guard of Naval Militia. To imply that the term is to be read in a broader sense would be a strained reading.

Further, legislative history supports the view that the 1989 amendments were not meant to alter the pay authorization in AS 26.05.260(b) but were intended to provide ASM members with workers' compensation and death benefits. Governor Cowper's transmittal letter to the legislature stated "This bill expressly extends workers' compensation coverage to members of the ASM . . . this ensures adequate compensation for injuries incurred incident to state service and the bill limits the state's liability for injuries to the remedy provided in AS 23.30." 1989 Senate Journal 43.

Finally, viewing the Military Code as a whole, it is evident that when the legislature intended to provide benefits to members of the entire "organized militia" it said so. See AS 26.05.260(d) (workers' compensation benefits); AS 26.05.260(e) (death benefits). When it intended for benefits to only be provided for the National Guard and Naval Militia the statute providing the benefit refers only to the "Alaska National Guard or the Alaska Naval Militia" and the ASM is not mentioned. See AS 26.05.222-26.05.229 (retirement benefits); AS 26.05.265 (reenlistment bonus); AS 26.05.295 (educational assistance); AS 26.05.296 (tuition assistance). Under AS 26.05.260(b), the legislature has not provided for the "organized militia" to receive pay and allowances, but only for the "Alaska National

⁵ Subsection (i) was enacted as (h) and renumbered in 1989.

Guard or Naval Militia". Therefore, we believe 260(b) means what it says and does not provide authorization for the ASM to receive active duty pay.

In addition to AS 26.05.260, there is only one other section in the Military Code which mentions "pay". AS 26.05.270 states that "If the organized militia, or any part of it, is called into active service of the state in case of war, disaster, insurrection, rebellion . . . vouchers for legally allowed pay and expenses for this services or compensation for injuries shall be drawn upon the general fund of the state treasury and paid out of money in that fund not otherwise appropriated." (Emphasis added.) The use of the phrase "legally allowed" in AS 26.05.270 does not in itself authorize pay and expenses but merely provides that those amounts already "legally allowed" shall be drawn from the general fund. Therefore, AS 26.05.270 does not provide authority for payment of the ASM.

An argument was raised that to require members of the ASM to serve without compensation would be a "taking" in violation of the Alaska Constitution.⁶ Alaska's "takings clause" prohibits the taking of private property for a public purpose without just compensation. Alaska Const., art. I, sec 18. The Alaska Supreme Court has held that "personal services" are private property. Delisio v. Alaska Superior Court, 740 P.2d 437 (Alaska 1987). In Delisio, the court determined that the government cannot require an attorney to represent an indigent person without paying just compensation because to do so would be an unconstitutional "taking" of the attorney's services (*i.e.* private property). See Id. at 443.

We do not believe Delisio is applicable. In Delisio, Delisio made his living as an attorney. The trial court ordered him to represent an indigent defendant for free or be sentenced to jail for contempt. In reversing the lower court, the Supreme court held that compelling Delisio to serve without just compensation was a "taking". Id. Here, members of the ASM are volunteers. The government has not ordered them to provide their services for free. ASM members volunteer to be part of the ASM and thus are subject to the call of the Governor on an occasional basis when needed to supplement the National Guard or Naval Militia. See AS 26.05.030; 26.05.100; 26.05.070. If an ASM member did not answer the call to active duty, they may be subject to demotion or discharge from the ASM, but it cannot be said that they are "compelled" to provide the service. Being available for call out to active duty is a condition of their volunteerism. If they do not answer the call out, they cannot be part of the organization, but unlike Delisio there is no government imposed fine or jail time for failure to provide services. Based on Delisio, we do not believe a "takings" argument has merit in this situation.⁷

In sum, there is no authority under current law to pay ASM members pay equivalent to military active duty pay when they are called to active duty. Pay for state active duty is not authorized unless members are hired as emergency employees or some other class of employee. Pay would be based on the job class not on military rank. Notice should go out to the ASM members immediately. If

⁶ See memorandum to Jim Chase from Lercy DeVaux dated December 10, 1998.

⁷ The DeVaux memorandum also asserted that it would be a violation of due process to deprive ASM members of pay equivalent to that of the regular military. Due process is inapplicable here. The issue is whether ASM members are entitled to be paid for their volunteer services. The conclusion is that they are not. If there is no entitlement to a benefit there can be no "protected interest" and therefore no entitlement to due process if the benefit is discontinued.

BG Phillips E. Oates
Commissioner, DMVA

July 7, 1999
Page 7

your department needs assistance in drafting legislation to change current law, please do not hesitate to call.

MAG:vb

STATE OF ALASKA
 Department of Military and Veterans Affairs
 Alaska State Defense Force
 49th Civil Support Brigade
 Post Office Box 5800
 Fort Richardson, Alaska 99505-5800

APPENDIX 2-B
DRILL PAY TABLE (One UTA)
 Effective 1 July 1999

When pay is authorized for State Active Duty the following pay table shall apply for each duty day. State minimum statutory pay is \$106.00 per duty day for all grades with a lower pay scale. A duty day for pay is 24 hours.

Pay Grade

E-1 > 4 mo -	29.59
E-1 < 4 mo -	31.98
E-2	35.86
E-3	39.30
E-4	41.76
E-5	46.14
E-6	52.66
E-7	60.63
E-8	82.75
E-9	95.91
W-1	62.69
W-2	71.01
W-3	81.28
W-4	88.46
W-5	140.71
O-1	63.77
O-2	77.07
O-3	90.48
O-4	106.04
O-5	121.31
O-6	141.91
O-7	186.31

*For telephone
 call 7/20
 w/Carol*

*not using
 this for
 we have
 no authority*

CALCULATION OF STATE ACTIVE DUTY:

STEP 1 (Determining Daily Base Pay Amount): Whenever the military pay rates change (which occurs at least annually on Jan 1 of each year) the minimum daily base pay amounts for each pay grade must be hand calculated. The following are the steps required to determine this minimum daily base pay rate:

- A. Go to Defense Department Internet site and download current military pay table
- B. Divide the monthly base pay amount for each pay grade (E1 through E9) (O1 through O6) and (W1 through W5) by 30 (days per month). This calculation must be done for each pay grade approximately 15 times since military members receive monthly base pay increases when the member passes 2 years of service, 3 years of service and then every 2 years thereafter through 26 years of service. Total hand calculations required: 345
- C. When a SAD order is received I must determine the individuals rank and years of service to determine what that individuals daily base pay amount is.

STEP 2 DETERMINING ALLOWANCES (SEPARATE RATIONS/HOUSING/COST OF LIVING)

- A. **Separate Rations (BAS):** This rate is a fixed daily amount with officer and enlisted members receiving different amounts. The current daily rates are found on the Defense Departments web site.
- B. **Basic Allowance For Housing (BAH):** There are different housing rates for married and single members. The current rates are determined by going to the Defense Departments web site and inputting the individual's rank and zip code location (Zip code 99577 (Anchorage) is used for this calculation). The web site then provides the monthly housing rate for married and single individuals of that grade living in 99577. That monthly amount must then be manually divided by 30 (days per month) to determine the individual's daily housing rate.
- C. **Cost of Living Allowance (COLA):** These rates are found at on the Department of Defense web site and are updated by DOD every two weeks. The input data to determine the correct rate for a member includes their pay grade, years of service, number of dependents and location code (AK005) for Alaska. The program then provides the daily COLA amount.
- D. **Other Allowances:** Individual on flying status (pilots and aircrew members) received an addition flight pay allowance. When an SAD order is received that indicates that the member is a pilot or aircrew member I must go to the Defense Departments web site to determine what that daily amount is. It is based their status (pilot or aircrew member), rank and years of service.

Step 3: Calculating Individuals SAD Daily Pay Rate:

- A. Once all of the above daily pay and allowance figures are determined they must be added together to determine the daily pay rate for each individual. That amount must then be compared to the State Daily Minimum amount (Hand calculated in July of each year using a formula contained in the statutes). The individual is then entitled to whichever daily amount is greater.
- B. The Individuals SAD daily amount is then multiplied by the number of days the member performed SAD during that pay period to determine the total amount of pay the individual is due.
- C. The order is then forward to State payroll personnel for issuance of a State payroll warrant.

Post-it [®] Fax Note	7871	Date	2/24	# of pages	▶
To	Michael Carroll	From	Rick J.P.		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

CALCULATION OF STATE ACTIVE DUTY (SAD) - PROPOSED PROCEDURES

Step 1: Determining Alaska National Guard Members' SAD Daily Pay Rate: Whenever the active duty military pay rates change (which occurs at least annually on Jan 1 of each year) the minimum daily pay amounts for each pay grade must be re-calculated. The following are the steps required to determine this minimum daily base pay rate:

- A. Go to Defense Department Internet site and download current active duty military pay table.
- B. Divide the minimum monthly base pay rate for each pay grade (E1 through E9) (O1 through O6) and (W1 through W5) by 30 (days per month) to determine the minimum daily base pay rate. Total calculations required: 23
- C. Multiply the minimum daily base pay rate for each pay grade by 200% (proposed percentage) to determine Alaska SAD Daily Pay Rate. Total calculations required: 23

Step 2: Calculating Individuals SAD Daily Pay When Duty is Performed:

- A. Compare the members Alaska SAD daily base pay rate to the current State Active Duty Daily Minimum amount (Calculated in July of each year using a formula contained in the statutes. \$105.30 per day a/o 1 July 1999). The individual is then entitled to whichever daily amount is greater.
- B. Multiply the member's Alaska SAD daily base pay rate or SAD minimum amount (whichever is greater) by the number of days the member performed duty during that pay period to determine the total amount of pay the individual is due.
- C. The SAD order with the pay calculations is then forwarded to DMVA payroll personnel for issuance of a State payroll warrant.

FISCAL NOTE

No: 2

Bill Version: CSHB 331 (MLV)

Bill (H) Publish Date: 3/3/00

STATE OF ALASKA 2000 LEGISLATIVE SESSION

Revision Date: 01-Mar-00
 Title: An Act relating to compensation of members
of the Alaska National Guard and Alaska Naval Militia ...
 Sponsor: Rules Committee
 Requestor: (H) MLV

Dept Affected: Military & Veterans Affairs
 BRU: Alaska National Guard
 Component: Office of the Commissioner
 Component No. #414

Expenditures/Revenues (Thousands of Dollars)
 Note: Amounts do not include inflation unless otherwise noted below.

	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
OPERATING EXPENDITURES						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: \$ n/a

POSITIONS

	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill simplifies the method of calculating pay and allowances for members of the National Guard and Naval Militia. There is no fiscal impact but administrative workload will be reduced in the event the National Guard is called onto Active Duty to respond to a state disaster or emergency. In addition, Guard and Naval Militia members will be paid more timely and accurately than in the past with this change.

This bill also clarifies the status of the Alaska State Defense Force when called to State Active duty. The department will pay to ASDF when called to active duty in accordance with state pay scales (level of work performed) but will recognize that the ASDF is subject to the ASDF command structure and discipline.

Prepared by: Carol B. Carroll Phone: 465-4730
 Division: Administrative Services Date: 01-Mar-00
 Approved by Commissioner: Phillip Oates Date: 01-Mar-00
 Agency: Military & Veterans Affairs

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