

HB

228



Representative Beth Kerttula

Alaska State Legislature, District 3
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Sponsor Statement

House Bill 228

“An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date.”

House Bill 28 would keep state employees who are fighting for our country, and their families, from suffering financial hardships by allowing the Governor to continue their salary and benefits. State of Alaska employees who volunteer their time with the Alaska National Guard, Alaska Naval Militia, and Alaska State Defense Force and are called to active duty would benefit from passage of this bill.

Our soldiers should not have to worry about whether their families will still have medical benefits and be able to pay the rent while they are on active duty. Governors of many other states already possess this authority and Alaska should join their ranks.

I appreciate your timely consideration of this bill.

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: House Bill No. 228
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Military and Veterans Affairs
 Title State Employees called to active military duty BRU _____
 Component _____
 Sponsor Kertulla Component No. _____
 Requester _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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	none	none	none	none	none	none
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CHANGE IN REVENUES ()	none	none	none	none	none	none
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

House Bill No. 228 states that "the governor, through an administrative order, may authorize state employees who are members of a reserve or auxiliary component of the armed forces of the United States, including the organized militia of Alaska, consisting of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Defense Force, and who are called to active duty by the appropriate state or federal authority continue to receive the equivalent of their state compensation and some or all of their state benefits."

Prepared by: John Cramer
 Division: Administrative Services
 Approved by: General Craig Campbell
 Agency: Department of Military and Veterans Affairs

Phone 465-4602
 Date/Time 4/14/2003
 Date 4/14/2003

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 228(MLV)
 (H) Publish Date: 5/2/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Military and Veterans Affairs
 Title: State Employees called to active military duty BRU _____
 Sponsor: Kertulla Component _____
 Requester: _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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	none	none	none	none	none	none
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CHANGE IN REVENUES ()	none	none	none	none	none	none
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 House Bill No. 228 states that "the governor, through an administrative order, may authorize state employees who are members of a reserve or auxiliary component of the armed forces of the United States, including the organized militia of Alaska, consisting of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Defense Force, and who are called to active duty by the appropriate state or federal authority continue to receive the equivalent of their state compensation and some or all of their state benefits."

Prepared by: John Cramer Phone 465-4602
 Division: Administrative Services Date/Time 4/14/2003
 Approved by: General Craig Campbell Date 4/14/2003
 Agency: Department of Military and Veterans Affairs

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 228(MLV)
 (H) Publish Date: 5/2/2003

Revision Date/Time (Note if correction): _____ Dept. Affected: All
 Title "An Act relating to state employees
who are called to active duty..." BRU All
 Component All
 Sponsor Kertula, Lynn
 Requester _____ Component No. All

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2003) cost: _____
 Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 Current year funding requirements are unknown at this time.

 Out year funding is indeterminate. There is no way to predict the number of emergencies for which an Administrative Order under the proposed legislation might be considered.

Prepared by: David Stewart Phone 465-4431
 Division: Division of Personnel Date/Time 5/2/03 12:53 PM
 Approved by: Mike Miller, Commissioner Date 5/2/2003
 Agency: Department of Administration

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State workers called to military duty will keep regular pay

By The Associated Press
February 23, 2003

NASHVILLE - State workers called to active military duty with the National Guard or Armed Forces Reserves will continue to get paid the same salary they make in their civilian jobs, under an executive order signed Saturday by Gov. Phil Bredesen.

"Signing this document is the least that we can do for hard-working state employees, Guardsmen, Reservists and their families," Bredesen told more than 500 people at the 74th Annual Conference of the National Guard Association of Tennessee.

Shortly after the speech, Bredesen took a plane to Washington, where he is attending the National Governors' Association meeting.

The executive order renews a pledge by former Gov. Don Sundquist that was set to expire March 11.

It requires government agencies and departments to extend military leave and provide offsetting pay to state employees whose active-duty wages are less than their normal salary.

For example, if an employee normally earning \$2,619 a month - the average government salary - is called to active duty making only \$2,100 a month, the state will pay \$519 a month. The benefit is capped at \$1,000 a month.

Bredesen also encouraged private employers to supplement pay of their workers who are deployed.

"Guardsmen and Reservists already have given so much," Bredesen said. "They should not have to sacrifice financially in order to defend our freedom and security."

An estimated 480 state employees were members of the Tennessee Army and Air National Guards in January 2002, the most current number available from the Department of Personnel. An unspecified number serve in the Armed Forces Reserves.

The Tennessee National Guard now has more than 2,200 members on active duty.

It was unclear how many state workers have been called to duty.

Bredesen said he will keep renewing the new order as long as the nation is at a high risk of war.

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States Act To Protect Citizen Soldiers' Income

Pamela M. Prah, Staff Writer

Stateline.org

April 1, 2003



While pressed for cash, several states are acting to make sure National Guard troops and reservists called on to fight against Iraq or terrorism don't lose out financially.

Florida, New York, Tennessee and Virginia recently acted to assure that state employees don't get less income while they are on active duty. Connecticut went farther by also guaranteeing health care coverage for activated state workers. New York is offering the most generous package. It includes health care, pay differential and tuition breaks.

Despite facing some of the most wrenching budget decisions in decades, state leaders are choosing to put the welfare of those serving in uniform – and their families – as a top priority.

"What we've seen since September 11 is that many states and municipalities recognize the sacrifices that especially the Guards make, since it's the National Guard troops who are called up for Homeland Security" said John Goheen, spokesman for the National Guard Association of the United States.

"They [states and municipalities] want to step up and want to improve benefits and provide more as a means for recruiting and retention and as a way to thank the National Guard for their sacrifices," Goheen said. His Washington, D.C. –based association represents National Guard members.

"While we applaud those states and municipalities that have offered up pay differentials, we certainly understand that some states and municipalities just can't do it because the only way they could do it is to cut someplace else."

John Goheen, National Guard Association of the United States

Many cash-strapped states may find it difficult to offer generous pay and health care benefits for reservists and their families. Collectively, the states deficits will be nearly \$90 billion in fiscal 2004, according to the National Association of State Budget Officers.

"It's tough times for the states," Goheen said. "While we applaud those states and municipalities that have offered up pay differentials, we certainly understand that some states and municipalities just can't do it because the only way they could do it is to cut someplace else," Goheen said.

Federal law requires that employers -- including states and municipalities -- keep the

same or similar jobs, pay and benefits waiting for employees who are away on military duty. But employers are not required to pay workers while they are serving.

The cost of such programs is hard to determine in advance since states often don't know how many Guard members and reservists will be called up. Generally, however, state employees in the National Guard or the National Guard Reserves number in the hundreds, not thousands. Virginia figures it will cost the state about \$600,000 a year to make up the pay difference for the 200 state employees currently deployed, said Ellen Qualls, spokeswoman for Virginia Gov. Mark R. Warner (D).

"It's more common now than it ever was for employers to be providing some kind of differential pay, if not a continuation of pay, and some kind of health benefits, if not an extension of health benefits, for their Reservists and Guard members," said Lt. Colonel Vince Savoia, a spokesman for the Employer Support of the Guard and Reserve (ESGR), a Department of Defense agency that helps employers understand troop and reservists' rights.

California, Delaware, Kansas, New Jersey, Ohio, Oklahoma, West Virginia, Washington and Wyoming are among the states that have policies that expand pay differential and/or medical coverage for state Reserve and National Guard members called to active duty, according to ESGR.

Connecticut, New York and Virginia have all enacted measures in March that go beyond the Uniformed Services and Employment and Reemployment Rights Act of 1994, the federal law that mandates job protections for reservists.

"It's more common now than it ever was for employers to be providing some kind of differential pay, if not a continuation of pay, and some kind of health benefits, if not an extension of health benefits, for their Reservists and Guard members."

Lt. Colonel Vince Savoia, Employer Support of the Guard and Reserve

The most sweeping proposal comes from New York Gov. George E. Pataki (R) who outlined his "Patriot Plan" in early March and is implementing provisions of it via executive orders, with the most recent March 24.

Pataki's executive orders ensure the following for all military personnel, not just state workers:

- continued health care coverage while on active duty
- automatic renewal of their drivers' licenses
- free passes to family members to state parks and beaches
- free high-speed Internet access at state colleges and universities for families to contact their enlisted relatives

Other components of Pataki's proposed plan require state lawmakers' approval, such as giving free college tuition to children and spouses of New York military personnel killed on duty. An estimated 4,000 New York National Guard troops are on state and federal active duty, the governor's office said.

Connecticut Gov. John G. Rowland signed legislation March 27 extending health care and providing pay differential for state employees called to active duty while Virginia Gov. Warner signed an executive order March 26 providing pay differential.

In Indiana, state Rep. Jeff Espich (R) plans to introduce a measure ordering the state to make up any difference in pay for state workers, according to Espich spokeswoman Karen L. Howe.

Forty-one percent of reservists reported they lost money when called to active duty compared to 29 percent who said they got a pay boost, according to a recent survey of reservists by the General Accounting Office, a federal watchdog agency.

Private employers also have acted voluntarily to provide more pay and benefits, according to the ESGR. The employers include American Express, Boeing Co., Coca Cola, Ford Motor. Co., Hewlett Packard, Miller Brewing Co., Sara Lee, United Parcel Service and Xerox.

Contact Pamela M. Prah at pprah@stateline.org

March 25, 2003

Julie Benson's Testimony to the State Affairs Committee on March 25th

Mr. Chairman and members of the committee. I know you are busy during this session and I want to sincerely thank you for hearing SB 26. My name is Julie Benson and I am married to a State Trooper and Air National Guardsman. This bill is important to us both individually and as a family. My husband, Adam, originally planned to testify today but, as frequently happens, was called to work on his day off.

My husband has been a Trooper for 4 years and we are currently stationed in Ketchikan. We have one daughter with another child due in July. My husband is a US Army trained helicopter pilot and left full time military service to pursue his dream of living in Alaska where he had been stationed. Upon leaving the Army, Adam joined the Alaska Air National Guard as a KC135 crew chief. Last year, after the tragic events of September 11th, Adam was activated for 6 months during Operation Enduring Freedom and spent time in the Middle East last summer.

I would like to help you understand that SB 26 is essential legislation for state employees who make the difficult choice to serve not only their state, but also their country. When my husband was activated last summer, our benefits through his employment as a trooper were immediately discontinued. This resulted in lost retirement contributions, as well as the loss of certain pay raises he would have received had he remained employed by the state. Adam and I feel that any loss of pay and benefits due to activation is just not right.

The individuals who choose to perform service to their country as well as their state are exemplary public servants and should not be penalized by the state, especially at a time of significant national crisis. These people are federal and state servants because they choose to be, not because they have to be.

My husband is a unique individual who feels compelled to serve in every aspect of his professional life. When he left the Army, there was never a question of whether or not he would continue to serve his country. He immediately joined an active air guard unit that is frequently deploying its members worldwide. Though we understood the potential sacrifice of this decision, it was never up for debate. Civil service is what Adam is all about. And despite the family compromises that we make, I am so thankful for men and women like my husband and I am proud to be his wife.

The passage of this bill is the right thing to do. Under current state policy, the men and women who are called to serve are punished by their employer, the State of Alaska. I doubt that the passage of this bill will change any of their decisions to continue their voluntary military service. It's just what they do because it's the right thing for them to do. The right thing for the rest of us to do

is to use every avenue available, to support them as they, and their families, make incredible sacrifices to protect and defend.

Please support the men and women who choose to serve our great nation and our great state by supporting SB 26. I'm happy to answer any questions you may have for me. Thank you for your time.

As my testimony indicates, my family was significantly affected last year when my husband was called to active duty. He lost pay in addition to state retirement and health benefits. SB 26 would correct what we believe is wrong with the state's current treatment of employees who are called to serve their country.

As stated in my testimony, if you have any questions for me or my husband, please feel free to contact us via email or by phone at 225-0328. Thank you again for your work on this bill.

Julie Benson

Call to Active Duty Military Service

If you are called to active duty either voluntarily or involuntarily during your active PERS service and you return to the same PERS employer within 90 days of honorable discharge from active duty, your military service is considered membership service time. You will need to submit a written request, along with a copy of your military discharge papers, to have this service time credited. There is no cost for this service.

Claimed Service

You may purchase certain types of service credit in order to increase the number of service years used in the calculation of your retirement benefit. The cost differs depending on the type of service you are eligible to claim.

The following types of service credit can be purchased in the PERS:

- Full-time temporary service credit;
- Military service credit;
- Alaska Bureau of Indian Affairs credit;
- Unlicensed Vessel Participant Annuity Retirement Plan;
- Village Public Safety Officer service;
- Rural Public Safety Officer service;
- Workers' Compensation; and
- Temporary Legislative service prior to July 1, 1979.

For more information on specific service purchases, please refer to the individual brochures. Brochures may be downloaded from our web site at www.state.ak.us/drj.



Representative Beth Kerttula

Alaska State Legislature, District 3
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Memorandum

Date: May 2, 2003

To: Representative Bruce Weyhrauch, Chair
Representative Jim Holm, Vice-Chair
House Committee on State Affairs

From: Representative Beth Kerttula, District 3 *Beth*

Re: **CS House Bill 228 (Military & Veterans Affairs)**

I respectfully request that you schedule a hearing in the House Committee on State Affairs for CS HB 228, benefits for state employees who are called to active duty, at your earliest convenience. This bill would keep state employees who are fighting for our country, and their families, from suffering financial hardships by allowing the Governor to continue their salary and benefits. Attached you will find a copy of the bill and sponsor statement. Please call me or my staff, Tracy Wendt, at 465-4766 if you have any questions.

Thank you.