

BILLS 1981 - 1982

HB 379 - HB 388

1510

1510

COMMITTEE REPORT

HOUSE

4/15

FURTHER: FINANCE

3/23/81

(5)

Date: 4-3-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 379

"An Act providing for retirement credit in the public employees' retirement system for unused sick leave; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

CHAIRMAN

asper
12-1166

Introduced: 3/23/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MILLER AND DUNCAN

2 HOUSE BILL NO. 379

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for retirement credit in the public
7 employees' retirement system for unused sick leave;
8 and providing for an effective date."

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

10 * Section 1. AS 39.35 is amended by adding a new section to read:

11 Sec. 39.35.315. CREDIT FOR UNUSED SICK LEAVE. (a) An employee
12 who is employed on or after July 1, 1980, and who retires after July 1,
13 1981, may elect to add his unused sick leave or banked medical leave
14 credit to the total number of years of creditable service under AS 39.-
15 35.370(c). Unused sick leave or banked medical leave shall be credited
16 on a day-for-day basis.

17 (b) A retired employee who returns to membership service on or
18 after July 1, 1981 is eligible for unused sick leave or banked medical
19 leave credit under this section only for sick leave accrued or medical
20 leave banked on or after July 1, 1981.

21 (c) Benefits under this section accrue from the first day of the
22 month after which (1) the employee meets the eligibility requirements
23 of this section; (2) the employee's written election regarding unused
24 sick leave is received and verified by the administrator; and (3) a
25 period of time has elapsed since the date of retirement equal to the
26 amount of verified unused sick leave. Benefits are payable on the last
27 day of the month.

28 * Sec. 2. This Act takes effect July 1, 1981.

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE BILL NO. 379

By MILLER AND DUNCAN

"An Act providing for retirement credit in the public employees' retirement system for unused sick leave; and providing for an effective date."

Unused sick leave for retirement credit/public employees'

Introduced in the House 3/23, 1981

HISTORY IN THE HOUSE

19 81	Read first time and referred to Committee on State Affairs and Finance												
Mar. 23	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Absent	Absent												
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	Reported correctly engrossed Signed by Speaker Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
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	Reported correctly engrossed Signed by President Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

Introduced: 3/23/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MILLER AND DUNCAN

2 HOUSE BILL NO. 379

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for retirement credit in the public
7 employees' retirement system for unused sick leave;
8 and providing for an effective date."

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

10 * Section 1. AS 39.35 is amended by adding a new section to read:

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24 sick leave is received and verified by the administrator; and (3) a
25 period of time has elapsed since the date of retirement equal to the
26 amount of verified unused sick leave. Benefits are payable on the last
27 day of the month.

28 * Sec. 2. This Act takes effect July 1, 1981.

29

HR 379

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 379

Title An Act allowing retirement credit for unused sick leave.

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Administration - Division of Retirement & Benefits

Program Category Affected Labor Services

BRU, Program, or Subprogram(s) Affected 02-96-8-01-01 (PERS)

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		28.3	30.0	31.8	33.8	35.8
200 TRAVEL						
300 CONTRACTUAL		23.7				
400 COMMODITIES		0.2	0.2	0.2	0.2	0.2
500 EQUIPMENT		1.8				
600 LAND & STRUCTURES						
700 STATE TRS MATCHING						
100 BENEFITS		796.4	876.0	963.6	1,060.0	1,166.0
TOTAL		850.4	906.2	995.6	1,094.0	1,202.0

FUNDING (Thousands of Dollars)

GENERAL FUND	652.2	717.3	789.3	868.1	955.0
FEDERAL FUNDS	36.6	40.3	44.3	48.8	53.6
VETERAN'S FUND	1.6	1.8	1.9	2.1	2.3
FISH & GAME FUND	4.3	5.3	5.8	6.4	7.0
HIGHWAY FUND	10.4	11.4	12.5	13.8	15.2
AIRPORT FUND	23.1	25.4	27.9	30.7	33.8
CAPITAL FUND	67.7	74.5	81.9	90.1	99.1
PERS	53.0	30.2	32.0	34.0	36.0
TRS					

POSITIONS

FULL TIME	1	1	1	1	1
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- Assumes current retirees will not be affected by this bill.
- Estimate that the average employee will receive an additional 4.7 days (unused medical leave) of service credit for each year of employment under PERS.
- Estimate FY 82 State covered payroll to be \$276,614,000; increasing 10% annually.
- Increase in State contribution rate would be .2685% of covered payroll.
- Estimate Personal Service to increase at 6% per year.
- Estimate costs for data processing system modifications (one time only) to be \$20.0.
- The costs to political subdivisions is estimated to be \$693.8 in FY82.

IV. DATE 3/24/81

PREPARED BY Paul B. Arnoldt, Director

AGENCY Division of Retirement & Benefits

PHONE 465-4460

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named) Representative Smith
Office of the Governor (Keith Specking)

1	POSITION TITLE Retirement and Benefits Technician				RANGE/STEP 12B	BARG. UNIT. G	LOCATION	GOV.	APPROV.	DIGAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY		FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:				
	1	2	3							
4	PERSONAL SERVICES:									
	SALARY	\$1,814/month	\$21,768							
5	BENEFITS	15.79%	3,437							
6	FICA	SBS 6.13%	1,334							
7	HEALTH INS.	\$150/month	1,900							
8	TOTAL PERSONAL SERVICES		01	\$28,339						
9	TRAVEL		02							
10	CONTRACTUAL		03	3,700						
11	COMMODITIES		04	200						
12	EQUIPMENT		05	1,800						
13	OTHER									
14	TOTAL COST			\$33,039						
	CODE	FUNDING SOURCE								
15		FED RCPTS.	1002							
16		GF MATCH.	1003							
17		GEN. FUND	1004							
18		I-A RCPTS.	1005							
19		PGM RCPTS	1028							
20		OTHER	PERS	\$33,039						
21	CONTINUATION									
22	ADDITION			FOR B&M USE ONLY						
4A KEY NUMBER _____ COLUMN NO. _____										

This employee will be responsible for verifying and recording the additional credited service granted for unused sick leave, for calculating the additional benefit, and for handling correspondence.

It is estimated that approximately 30% or 4,400 members of the current PERS political subdivision membership will ultimately retire and will require crediting of unused sick leave under this bill.

Contractual amount includes space and telephone.

House Bill No. 379

AGENCY Administration PROGRAM Labor Services

BRU Retirement & Benefits

COMPONENT PERS

13 REQUEST FOR NEW POSITION.

FY 82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 380

Title An Act making an Appropriation to the Dept. of Environmental Conservation for the*

Requested by Miller

Date 3/23/81

* Litter Recycling and Reduction Program; and Providing for an Effective Date.

II. FISCAL DETAIL

Agency Affected Department of Environmental Conservation

Program Category Affected Solid Waste Management

BRU, Program, or Subprogram(s) Affected Environmental Quality Management, Environmental **

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.) ** Quality Operations, Commissioner's Office.

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES			\$215.7	\$237.3	\$ 261.0	\$ 287.1
200 TRAVEL			71.3	78.4	86.2	94.8
300 CONTRACTUAL			123.3	135.6	149.2	164.1
400 COMMODITIES			17.1	18.8	20.7	22.8
500 EQUIPMENT			10.5	11.5	12.6	13.9
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.			421.0	463.1	509.4	560.3
TOTAL			\$858.9	\$944.7	\$1,039.1	\$1,143.0

FUNDING (Thousands of Dollars)

GENERAL FUND			\$858.9	\$944.7	\$1,039.1	\$1,143.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME			2	2	2	2
PART TIME						
TEMPORARY			1	1	1	1

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This funding is to provide the additional resources needed for full implementation of the Comprehensive Litter Reduction and Resource Recovery Act in FY-82. The Act, which was passed by the Legislature in 1980, was initially funded for \$500.0. This was sufficient for implementation of many provisions of the Act in FY-81. The FY-82 proposed budget for \$623.8 follows closely the FY-81 level of funding and would continue programs established to date.

The additional funding provided by HB 380 would enable the Department of Environmental Conservation to implement all provisions of the Act and operate these programs during FY-82.

IV. DATE 4/20/81

PREPARED BY Joe Ferguson, Litter Program Coordinator

AGENCY Department of Environmental Conservation

PHONE 465-2666

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

In FY-81, the Department phased in major elements of the program as required in the Act and employed needed staff. FY-81 funding allowed for the initiation of programs in public education and awareness, design of anti-litter symbols, purchase of garbage and litter bags, grants for litter reduction and recycling, litter surveys, resource recovery market research, establishing the Advisory Council, and production of the first annual report.

No funds were available for setting up Department-operated youth litter patrols, and only a minimal grants program was possible. Hiring of three regional staff, for program implementation in communities, was delayed until spring.

HB 380 MAKES POSSIBLE THE FOLLOWING:

The proposed funding would make possible the following projects in FY-82, in addition to maintaining those established in FY-81.

1. Youth litter patrols	\$188,000
2. Grants	
a. litter reduction	\$255,000
b. resource recovery	\$166,000
3. Public information (radio/ty spots, brochures, public awareness)	\$21,000
4. Clerk typist (to handle excessive typing load)	\$29,600
5. Increased travel (to extend to rural communities)	\$20,000
6. Additional Litter Bags	\$12,000
7. Resource Recovery Program	\$62,100
8. Litter Surveys	\$85,000
9. Advisory Council travel and meetings	\$20,000
TOTAL	<hr/> \$858,900

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT Environmental Conservation	SPONSOR (PRINCIPAL) Rep. Miller	BILL NO. 380
DEPARTMENT POSITION This bill will allow for full implementation of the Litter Reduction and Resource Recovery Act and operation of programs in FY-82.		
DIVISION DIRECTOR Glenn Akins	DATE 4/16/81	COMMISSIONER Ernst V. Mueller
		DATE 4/20/81
GOVERNOR'S OFFICE USE		
<input type="checkbox"/> POSITION NOTED <input type="checkbox"/> POSITION APPROVED <input type="checkbox"/> POSITION DISAPPROVED		
BY: _____		
DATE: _____		
SUMMARY		
(1) RELATED BILLS (SIMILAR OR CONFLICTING) (2) OTHER AGENCIES AFFECTED BY BILL		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL Litter Reduction and Resource Recovery Advisory Council		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
(3) PROGRAM EFFECTS OF BILL		
HB 380 will provide funding in addition to the proposed budget to fully implement provisions of the Litter Reduction and Resource Recovery Act and operate these programs in FY-82		
(4) FISCAL IMPACT: <input type="checkbox"/> NONE <input type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		
(6) COMMENTS:		

ENROLLED BILL REPORT

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT	SPONSOR (PRINCIPAL)	BILL NO. (FINAL VERSION)	
Environmental Conservation	Rep. Miller	380	
DIVISION DIRECTOR	DATE	COMMISSIONER	DATE
Glenn Akins	<i>Glenn Akins</i> 4/16/81	Ernst W. Mueller	
SUMMARY			
(1) RELATED BILLS (SIMILAR OR CONFLICTING)			
(2) a. ORGANIZATIONS SPONSORING AND SUPPORTING BILL			(2) b. ORGANIZATIONS OPPOSING BILL
Litter Reduction and Resource Recovery Advisory Council			
(3) PROGRAM EFFECTS OF BILL			
HB 380 will provide funding in addition to the proposed budget to fully implement provisions of the Litter Reduction and Resource Recovery Act and operate these programs in FY-82.			
(4) FISCAL IMPACT: <input type="checkbox"/> NONE <input checked="" type="checkbox"/> FISCAL ANALYSIS ATTACHED			

RECOMMENDED ACTION BY GOVERNOR

COMMENTS:

Funding Information
General Fund \$858,900
Other Funds -0-
\$858,900

Introduced: 3/23/81
Referred: Resources and
Finance

1 IN THE HOUSE

BY MILLER

2 HOUSE BILL NO. 380

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making an appropriation to the Department of
7 Environmental Conservation for the litter recycling
8 and reduction program; and providing for an effective
9 date."

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

11 * Section 1. The sum of \$858,900 is appropriated from the general fund
12 to the Department of Environmental Conservation for the recycling and reduc-
13 tion of litter program established in AS 46.06.

14 * Sec. 2. The unexpended and unobligated portion of the appropriation
15 made by this Act lapses into the general fund June 30, 1982.

16 * Sec. 3. This Act takes effect July 1, 1981.

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Regan/Levy
12-1190

Introduced: 3/23/81
Referred: Resources and
Finance

Funding Information
General Fund \$858,900
Other Funds -0-
\$858,900

1 IN THE HOUSE

BY MILLER

2 HOUSE BILL NO. 380

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4 TWELFTH LEGISLATURE - FIRST SESSION

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COMMITTEE COPY

-1-

HB 380

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST Session

HOUSE BILL NO. 380

By MILLER

"An Act making an appropriation to the Department of Environmental Conservation for the litter recycling and reduction program; and providing for an effective date."

Appro. to Dept. Environ. Conserv.

Introduced in the House 3/23, 1981

HISTORY IN THE HOUSE

19 81
Mar. 23 Read first time and referred to Committee on Resources and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

POSITION PAPER

CS FOR HOUSE BILL NO. 384 (HESS)

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

CSHB 384 establishes the Alaska Native Child Welfare Task Force to study and recommend legislative, judicial, and administrative changes to implement the provisions of the federal Indian Child Welfare Act. The Indian Child Welfare Act imposes significant and far-reaching changes in operations for courts, attorneys, and agencies placing children in foster care and adoption.

This legislation would affirm and strengthen an ad hoc task force which is currently operating. It would add ex officio members from the Department of Health and Social Services, Alaska Court System, Attorney General's Office, the Senate Health, Education, and Social Services Committee, the House Health, Education and Social Services Committee, and Alaska Legal Services to members from each of the 12 Alaska-based regional native corporations.

The Department of Health and Social Services is in full support of CS for HB 384, and is pleased to participate in the task force.

RECOMMENDED BY: John R. Pugh
John R. Pugh, Director
Division of Family and
Youth Services

DATE: 5/21/81

APPROVED BY: Helen D. Beirne
Helen D. Beirne
Commissioner

DATE: 6-2-81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CS for House Bill No. 384 (HESS)
Title "An Act estab. the AK Native Child Wel. Task Force; & provid. for an eff. date."
Requested by HESS Committee Date 5/13/81

II. FISCAL DETAIL
Agency Affected Department of Health and Social Services
Program Category Affected Social Service
BRU, Program, or Subprogram(s) Affected _____
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 5/21/81 PREPARED BY John R. Pugh, Director
AGENCY Division of Family and Youth Services
PHONE: 465-3170
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) M. Heikkinen M&B Approval M. Heikkinen Date 5/22/81

POSITION PAPER

HOUSE BILL NO. 384

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

The Department of Health and Social Services supports House Bill No. 384 establishing the Alaska Native Child Welfare Task Force. The Indian Child Welfare Act imposes significant and far-reaching changes in operations for courts, attorneys, and agencies placing children in either foster care or adoption. A task force to study the various issues concerning child welfare services for Alaskan Natives would be very valuable in terms of future planning and policy development. The Department would be pleased to participate in such a task force.

Department of Health and Social Services is in support of House Bill No. 384.

RECOMMENDED BY: John R. Pugh
John R. Pugh, Director
Division of Family and
Youth Services

DATE: 3/25/87

APPROVED BY: Helen D. Beirne
Helen D. Beirne
Commissioner

DATE: 4-6-87

Original sponsors: Fuller and Clocksin

Offered: 5/13/81
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 384 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Native Child Welfare
7 Task Force; and providing for an effective date."

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

9 Section 1. ALASKA NATIVE CHILD WELFARE TASK FORCE. The Alaska Native
10 Child Welfare Task Force is established to study and recommend legislative,
11 judicial, and administrative changes to implement the provisions of the
12 federal Indian Child Welfare Act.

13 * Sec. 2. MEMBERSHIP. (a) The Alaska Native Child Welfare Task Force
14 is composed of 13 voting members and 6 nonvoting ex officio members, selected
15 as follows:

16 (1) voting members: a representative from each of the 13 regional
17 Native corporations created by the Alaska Native Claims Settlement Act, to
18 be appointed by the governor;

19 (2) ex officio members:

20 (A) the commissioner of health and social services or a
21 person designated by the commissioner;

22 (B) the administrator of the Alaska Court System or a person
23 designated by the administrator;

24 (C) the attorney general or a person designated by the
25 attorney general;

26 (D) the person who chairs the senate health, education and
27 social services committee;

28 (E) the person who chairs the house health, education and
29 social services committee; and

1 (F) the executive director of the Alaska Legal Services
2 Corporation or a person designated by the executive director.

3 (b) Appointments under (a)(1) of this section shall be made with due
4 consideration to the availability and willingness of an appointee to devote
5 the time and effort necessary to permit the task force to function effec-
6 tively. Appointments shall be without regard to political affiliation, and
7 shall be made, if possible, within 20 days of the effective date of this
8 Act, or within 20 days of the date of any vacancy in the membership of the
9 task force.

10 (c) Vacancies in office shall be filled in the manner prescribed for
11 initial appointments.

12 * Sec. 3. COMPENSATION. A member of the Alaska Native Child Welfare
13 Task Force serves without compensation, but is entitled to the same travel
14 pay and per diem authorized by law for members of boards and commissions
15 under AS 39.20.180.

16 * Sec. 4. PRESIDING OFFICER. The Alaska Native Child Welfare Task Force
17 shall elect a presiding officer from among the members of the task force.

18 * Sec. 5. MEETINGS. The Alaska Native Child Welfare Task Force shall
19 meet at least four times a year to carry out the duties prescribed in this
20 Act. The first meeting of the task force shall be convened at the call of
21 the governor not later than 30 days following appointment of members under
22 sec. 2(a)(1) of this Act.

23 * Sec. 6. DUTIES. (a) The Alaska Native Child Welfare Task Force shall

24 (1) study the federal Indian Child Welfare Act in order to recom-
25 mend legislative, judicial, and administrative changes to implement the
26 concepts contained in the Indian Child Welfare Act;

27 (2) if the task force considers it necessary, hold public hear-
28 ings and meetings to consider the effect of the Indian Child Welfare Act on
29 Alaska Natives;

1 (3) apply for and administer federal grants used to conduct
2 training programs for tribal and village entities on implementation of the
3 Indian Child Welfare Act in the state;

4 (4) prepare a report on legislative, judicial, and administrative
5 changes necessary to provide full implementation of the Indian Child Welfare
6 Act in the state; the report shall include recommendations for legislation
7 and changes in state administrative and judicial procedures necessary to
8 implement the Indian Child Welfare Act in the state.

9 (b) The report which is prepared under (a)(4) of this section shall be
10 presented to the legislature, with copies to the Department of Health and
11 Social Services and the governor, by February 1, 1982.

12 * Sec. 7. TERMINATION. This Act is repealed and the existence of the
13 Alaska Native Child Welfare Task Force terminated December 31, 1982.

14 * Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-
15 dance with AS 01.10.070(c).

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Introduced: 3/24/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY FULLER AND CLOCKSIN

2 HOUSE BILL NO. 384

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Native Child Welfare
7 Task Force; and providing for an effective date."

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

9 * Section 1. ALASKA NATIVE CHILD WELFARE TASK FORCE. The Alaska Native
10 Child Welfare Task Force is established to study and recommend legislative
11 changes to implement the provisions of the federal Indian Child Welfare Act.

12 * Sec. 2. MEMBERSHIP. (a) The Alaska Native Child Welfare Task Force
13 is composed of 15 members, selected as follows:

14 (1) an Alaska Native shareholder from each of the 12 Alaska-based
15 regional Native corporations created by the Alaska Native Claims Settlement
16 Act, to be appointed by the governor;

17 (2) the commissioner of health and social services or his desig-
18 nee;

19 (3) the administrator of the Alaska Court System or his designee;

20 (4) an assistant attorney general appointed by the governor.

21 (b) Appointments shall be made with due consideration to the availa-
22 bility and willingness of an appointee to devote the time and effort neces-
23 sary to permit the task force to function effectively. Appointments shall
24 be without regard to political affiliation, and shall be made, if possible,
25 within 20 days of the effective date of this Act, or within 20 days of the
26 date of any vacancy in the membership of the task force.

27 (c) Vacancies in office shall be filled in the manner prescribed for
28 initial appointments.

29 * Sec. 3. COMPENSATION. A member of the Alaska Native Child Welfare

1 Task Force serves without compensation, but is entitled to the same travel
2 pay and per diem authorized by law for members of boards and commissions.

3 * Sec. 4. CHAIRMAN AND VICE-CHAIRMAN. The members of the Alaska Native
4 Child Welfare Task Force shall elect a chairman and a vice-chairman from
5 among the members of the task force.

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7 meet at least once every two months to carry out the duties prescribed in
8 this Act. The first meeting of the task force shall be convened at the call
9 of the governor not later than 30 days following appointment of the 15
10 members of the task force.

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14 Child Welfare Act;

15 (2) if the task force considers it necessary, hold public hearings
16 and meetings to consider the effect of the Indian Child Welfare Act on
17 Alaska Natives;

18 (3) complete a report with recommendations to the legislature for
19 legislation which would implement the concepts contained in the Indian Child
20 Welfare Act in Alaska, furnishing copies of the report to the Department of
21 Health and Social Services, the governor, and the presiding officer of each
22 house of the legislature not later than February 1, 1982.

23 * Sec. 7. TERMINATION. The Alaska Native Child Welfare Task Force ter-
24 minates February 28, 1982.

25 * Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-
26 dance with AS 01.10.070(c).

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COMMITTEE REPORT

HOUSE

FURTHER:

5/13/81

(11)

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 384

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s) same title
- replace with CS for _____ new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

COMMITTEE REPORT

HOUSE

513

3/24/81

FURTHER: FINANCE

(5)

Date: May 11, 1981

Mr. Speaker: HEALTH, EDUCATION & SOCIAL SERVICES
The Committee on SOCIAL SERVICES has had HB 384

"An Act establishing the Alaska Native Child Welfare TAsk Force; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 384 (Issue) same title
 new title
- and recommends it do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

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[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
CHAIRMAN

asper
12-1235

Original sponsors: Fuller and Clocksin

Offered: 5/13/81
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 384 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Native Child Welfare
7 Task Force; and providing for an effective date."

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

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18 be appointed by the governor;

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20 (A) the commissioner of health and social services or a
21 person designated by the commissioner;

22 (B) the administrator of the Alaska Court System or a person
23 designated by the administrator;

24 (C) the attorney general or a person designated by the
25 attorney general;

26 (D) the person who chairs the senate health, education and
27 social services committee;

28 (E) the person who chairs the house health, education and
29 social services committee; and

1 (F) the executive director of the Alaska Legal Services
2 Corporation or a person designated by the executive director.

3 (b) Appointments under (a)(1) of this section shall be made with due
4 consideration to the availability and willingness of an appointee to devote
5 the time and effort necessary to permit the task force to function effec-
6 tively. Appointments shall be without regard to political affiliation, and
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11 initial appointments.

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6 Act in the state; the report shall include recommendations for legislation
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8 implement the Indian Child Welfare Act in the state.

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10 presented to the legislature, with copies to the Department of Health and
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13 Alaska Native Child Welfare Task Force terminated December 31, 1982.

14 * Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-
15 dance with AS 01.10.070(c).

Asper
12-1235

Introduced: 3/24/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY FULLER AND CLOCKSIN

2 HOUSE BILL NO. 384

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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19 (3) the administrator of the Alaska Court System or his designee;

20 (4) an assistant attorney general appointed by the governor.

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25 within 20 days of the effective date of this Act, or within 20 days of the
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28 initial appointments.

29 * Sec. 3. COMPENSATION. A member of the Alaska Native Child Welfare

COMMITTEE COPY

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17 Alaska Natives;

18 (3) complete a report with recommendations to the legislature for
19 legislation which would implement the concepts contained in the Indian Child
20 Welfare Act in Alaska, furnishing copies of the report to the Department of
21 Health and Social Services, the governor, and the presiding officer of each
22 house of the legislature not later than February 1, 1982.

23 * Sec. 7. TERMINATION. The Alaska Native Child Welfare Task Force ter-
24 minates February 28, 1982.

25 * Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-
26 dance with AS 01.10.070(c).

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSEBILL..... NO. ...384..

By FULLER AND CLOCKSIN.....

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

Est the Alaska Native Child Welfare Task Force

Introduced in the House 3/24, 19... 81

HISTORY IN THE HOUSE

19 81

Mar 24

Read first time and referred to Committee on

HESS and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration	
PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused
Reported correctly engrossed	
Signed by Speaker	
Sent to Senate	

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration	
PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused
Reported correctly engrossed	
Signed by President	
Returned to House	

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Funding Information
General Fund \$50,000
Other Funds -0-
\$50,000

Introduced: 3/24/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY FULLER AND CLOCKSIN

2 HOUSE BILL NO. 385

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for the opera-
7 tions of the Alaska Native Child Welfare Task Force;
8 and providing for an effective date."

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

10 * Section 1. The sum of \$50,000 is appropriated from the general fund to
11 the Alaska Native Child Welfare Task Force for the operations of the task
12 force during the period of its existence.

13 * Sec. 2. This Act takes effect on the effective date of an Act estab-
14 lishing the Alaska Native Child Welfare Task Force.

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POSITION PAPER
HOUSE BILL NO. 385

"An Act making a special appropriation for the operations of the Alaska Native Child Welfare Task Force; and providing for an effective date."

The Department of Health and Social Services is in support of House Bill No. 385, making a special appropriation for the operation of the Alaska Native Child Welfare Task Force. The Indian Child Welfare Act imposes significant and far-reaching changes in operations for courts, attorneys, and agencies placing children in either foster care or adoption. A task force to study the various issues concerning child welfare services for Alaskan Natives would be very valuable in terms of future planning and policy development. The Department would be pleased to participate in such a task force.

Department of Health and Social Services is in support of House Bill No. 385.

RECOMMENDED BY: John R. Pugh
John R. Pugh, Director
Division of Family and
Youth Services

DATE: 3/25/81

APPROVED BY: Helen D. Beirne
Helen D. Beirne
Commissioner

DATE: 4-7-81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 385
 Title "An Act making a special appropriation for the Ak. Native Child Welfare Task Force..."
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

House Bill No. 385 has no fiscal impact on the Department of Health and Social Services.

IV. DATE 3/25/81 PREPARED BY John R. Pugh John R. Pugh, Director
 AGENCY Division of Family and Youth Services
 PHONE 465-3170
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) M&B Approval _____ Date 3/1/81

COMMITTEE REPORT

HOUSE

5/13/81

FURTHER:

(11)

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 385

"An Act making a special appropriation for the operations of the Alaska Native Child Welfare Task Force; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

COMMITTEE REPORT

HOUSE

5/13

3/24/81

(5)

FURTHER: FINANCE

Date: May 11, 1981

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 385

"An Act making a special appropriation for the operations of the Alaska Native Child Welfare Task Force; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING

DO PASS

Don Clocher
Bette Cato
Terry Martin
J. H. ...

MEMBERS HAVING

OTHER RECOMMENDATIONS:

John ...

Don Clocher
 CHAIRMAN

asper
12-12-33

Funding Information
General Fund \$50,000
Other Funds -0-
\$50,000

Introduced: 3/24/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY FULLER AND CLOCKSIN

2 HOUSE BILL NO. 385

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for the opera-
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14 lishing the Alaska Native Child Welfare Task Force.

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSE BILL..... NO. 385...

By FULLER AND CLOCKSIN.....

"An Act making a special appropriation for the operations of the Alaska Native Child Welfare Task Force; and providing for an effective date."

Spec appro, Alaska Native Child Welfare Task Force

Introduced in the House 3/24., 1981.

HISTORY IN THE HOUSE

19 81

Mar. 24

Read first time and referred to Committee on

HESS and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Introduced: 3/25/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MILLER AND DUNCAN

2 HOUSE BILL NO. 388

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST 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 14.25.060(c) is amended to read:

11 (c) The total military service claimed may not exceed five years.
12 The total Alaska National Guard and Alaska Naval Militia service claimed
13 may not exceed five years. The combined total of outside, [AND] mili-
14 tary, and Alaska National Guard and Alaska Naval Militia service may
15 not exceed 10 years, except that, if entry into the armed forces is
16 immediately preceded by membership service and within one year after
17 discharge is continued by membership service, that service will not be
18 counted for purposes of determining the applicability of the 10-year
19 limitation on the combined total of outside, [AND] military, and Alaska
20 National Guard and Alaska Naval Militia service. The combined total of
21 outside, military, Alaska National Guard and Alaska Naval Militia, and
22 Alaska BIA service may not exceed 15 years.

23 * Sec. 2. AS 14.25.100(a) is amended to read:

24 (a) A member who served as an active member of the armed forces of
25 the United States may receive credited [CREDITABLE] service under this
26 system up to a maximum of five years. Each 12 months of military service
27 equals one school year, and lesser military periods will be determined
28 for credit purposes in a proportionate ratio to a year. To receive
29 credited [CREDITABLE] service under this section, the member must have

1 received a discharge other than dishonorable. Except as provided in (f)
2 of this section, credit [CREDIT] for service in the armed forces shall
3 be granted only if the member makes contributions for the service [IN
4 THE SAME MANNER AS REQUIRED FOR OUTSIDE SERVICE] under AS 14.25.060.
5 [THE MILITARY SERVICE CREDITED UNDER THIS SECTION SHALL BE INCLUDED IN
6 THE 10-YEAR LIMITATION OF OUTSIDE SERVICE AS SPECIFIED IN AS 14.25.060,
7 EXCEPT IF ENTRY INTO THE ARMED FORCES IS IMMEDIATELY PRECEDED BY ALASKA
8 MEMBERSHIP SERVICE AND FOLLOWING DISCHARGE IS CONTINUED BY ALASKA
9 MEMBERSHIP SERVICE WITHIN ONE YEAR THEREAFTER, SERVICE MAY NOT BE
10 COUNTED FOR PURPOSES OF DETERMINING THE APPLICABILITY OF THE 10-YEAR
11 LIMITATION ON OUTSIDE SERVICE.]

12 * Sec. 3. AS 14.25.100 is amended by adding a new subsection to read:

13 (f) Notwithstanding AS 14.25.060 and (a) of this section, a
14 member is not required to make contributions for credit for service in
15 the armed forces if the member is a member or former member of the
16 Alaska National Guard or Alaska Naval Militia, or a former member of
17 the Territorial Guard, and the military service claimed under this
18 section plus the Alaska National Guard, Alaska Naval Militia or Terri-
19 torial Guard service equals or exceeds 20 years.

20 * Sec. 4. AS 14.25 is amended by adding a new section to read:

21 Sec. 14.25.103. CREDIT FOR MEMBERSHIP IN THE ALASKA NATIONAL
22 GUARD AND ALASKA NAVAL MILITIA. (a) A member who is a member of the
23 Alaska National Guard or Alaska Naval Militia may receive credited
24 service under this system for all or a part of his credited service
25 under the Alaska National Guard and Alaska Naval Militia retirement
26 system (AS 26.05.222 - 26.05.227) by electing to forgo four months of
27 credited service under that retirement system for each month of service
28 credited under this system. Each 12 months of service credited under
29 this system equals one school year, and lesser periods will be deter-

1 mined for credit purposes in a proportionate ratio to a year.

2 (b) A member who is a former member of the Alaska National Guard
3 or Alaska Naval Militia with at least six years credited service under
4 the Alaska National Guard and Alaska Naval Militia retirement system
5 (AS 26.05.222 - 26.05.227) may receive credited service under (a) of
6 this section. If the member has received retirement benefits under the
7 Alaska National Guard and Alaska Naval Militia retirement system and
8 wishes to claim credited service with respect to the months for which
9 benefits have been paid, he is indebted to the retirement fund in the
10 amount of those benefits. Compound interest at the rate prescribed by
11 regulation adopted by the administrator shall be added to the arrearage
12 indebtedness beginning on the date the member received the first benefit
13 for which he is indebted to the retirement fund or July 1, 1980, which-
14 ever is later, and continuing to the date of payment from the
15 retirement fund or the date of retirement, whichever occurs first.

16 (c) Except as provided in (b) of this section, a member is not
17 required to make contributions for credited service allowed under this
18 section.

19 (d) The credited service allowed under this section may not
20 exceed an aggregate period of five years.

21 (e) A member may not receive credited service under this section
22 if credit for membership in the Alaska National Guard or Alaska Naval
23 Militia was granted under the public employees' retirement system
24 (AS 39.35).

25 (f) In this section, "credited service under the Alaska National
26 Guard and Alaska Naval Militia retirement system" means the total
27 number of months that a person included in that system was a member of
28 the Territorial Guard, Alaska National Guard, or Alaska Naval Militia.

29 * Sec. 5. AS 14.25.220(10) is amended to read:

1 (10) "credited service" means all membership service as pro-
2 vided in (20) of this section, plus outside, military, Alaska National
3 Guard, Alaska Naval Militia, Territorial Guard, and BIA service not
4 exceeding 15 years, with outside, Alaska National Guard, Alaska Naval
5 Militia, Territorial Guard, and military service limited to 10 years
6 except under the conditions set out in AS 14.25.100;

7 * Sec. 6. AS 23.30 is amended by adding a new section to read:

8 Sec. 23.30.238. MEMBERS OF THE NATIONAL GUARD AND NAVAL MILITIA.

9 A member of the Alaska National Guard or Alaska Naval Militia while on
10 active duty for the state and lawfully performing his duties is an
11 employee of the state for the purposes of this chapter. Weekly compen-
12 sation for disability or death under this section may not be less than
13 the initial payment of compensation under AS 23.30.175.

14 * Sec. 7. AS 26.05.160(a) is amended to read:

15 (a) The adjutant general of the state is appointed by the governor.
16 The governor shall prescribe the grade of the adjutant general which may
17 [SHALL] not exceed major general. The governor may appoint the adjutant
18 general from a list of not less than three eligible persons submitted by
19 the National Guard Advisory Board. To be eligible for appointment as
20 adjutant general, a person shall be a citizen of the state, be a member
21 of the Alaska National Guard with at least five years service, and hold
22 or have held a federally recognized field-grade commission. An adjutant
23 general who is appointed after December 1, 1982, before assuming his
24 duties, shall have completed the command and general staff course or its
25 equivalent and at least one additional course, either residential or
26 correspondence, at one of the war colleges operated by the United States
27 Department of Defense. However, if the person appointed adjutant gen-
28 eral after December 1, 1982, was a field grade officer of the Alaska
29 National Guard or Alaska Naval Militia before July 1, 1980, war college

1 study is not required. The adjutant general shall make returns and
2 reports to the Chief, National Guard Bureau, and to the governor or to
3 the officers designated by the Chief, National Guard Bureau, and the
4 governor, at the times and in the form prescribed.

5 * Sec. 8. AS 26.05 is amended by adding new sections to read:

6 Sec. 26.05.165. NATIONAL GUARD ADVISORY BOARD. (a) There is
7 established the National Guard Advisory Board, whose members are ap-
8 pointed by the governor and serve at his pleasure. The National Guard
9 Advisory Board is composed of

10 (1) an employee of the Department of Military Affairs who is
11 a member of the Alaska National Guard or Alaska Naval Militia;

12 (2) an officer in the Alaska Army National Guard, not em-
13 ployed by the Department of Military Affairs;

14 (3) an enlisted person in the Alaska Army National Guard,
15 not employed by the Department of Military Affairs;

16 (4) an officer in the Alaska Air National Guard, not employed
17 by the Department of Military Affairs;

18 (5) an enlisted person in the Alaska Air National Guard, not
19 employed by the Department of Military Affairs;

20 (6) two public members.

21 (b) Members appointed under (a)(1) - (5) of this section shall be
22 members of the Alaska National Guard Association or one of its subsidi-
23 ary officer or enlisted associations.

24 Sec. 26.05.166. TERM OF OFFICE. Members of the National Guard
25 Advisory Board shall be appointed for overlapping terms of three years.
26 A person appointed to fill a vacancy on the National Guard Advisory
27 Board shall serve for the remainder of the unexpired term.

28 Sec. 26.05.167. QUORUM. A majority of the membership of the
29 National Guard Advisory Board constitutes a quorum to transact the

1 business of the board, but a majority of the members of the board must
2 approve the list of persons recommended for appointment to the office
3 of the adjutant general under AS 26.05.160(a).

4 Sec. 26.05.168. TRANSPORTATION AND PER DIEM. Members of the
5 National Guard Advisory Board receive no compensation for their service
6 on the board but are entitled to the travel expenses and per diem pro-
7 vided in AS 39.20.180 when necessary to attend meetings of the board.

8 Sec. 26.05.169. DUTIES. The National Guard Advisory Board shall

9 (1) submit lists of persons for the governor's consideration
10 under AS 26.05.160(a);

11 (2) recommend to the governor policies concerning the admin-
12 istration and operation of the Alaska National Guard and the Alaska
13 Naval Militia;

14 (3) recommend to the governor legislation that will enhance
15 the recruitment, retention, and retirement programs for the Alaska
16 National Guard and Alaska Naval Militia;

17 (4) recommend to the governor basic force requirements and
18 unit structuring for further recommendation to the National Guard
19 Bureau which will enhance the efficiency of the militia.

20 * Sec. 9. AS 26.05.222 is amended to read:

21 Sec. 26.05.222. CREATION AND ADMINISTRATION OF ALASKA NATIONAL
22 GUARD AND ALASKA NAVAL MILITIA RETIREMENT SYSTEM. (a) There is estab-
23 lished an Alaska National Guard and Alaska Naval Militia retirement
24 system. The commissioner of administration shall administer the Alaska
25 National Guard and Alaska Naval Militia retirement system.

26 (b) The commissioner of administration may adopt regulations to
27 implement the Alaska National Guard and Alaska Naval Militia retirement
28 system. Regulations adopted by the commissioner under this subsection
29 relate to the internal management of state agencies and their adoption

1 is not subject to the Administrative Procedure Act (AS 44.62).

2 * Sec. 10. AS 26.05.223 is amended to read:

3 Sec. 26.05.223. COMMENCEMENT OF PARTICIPATION IN SYSTEM. A
4 member of the Alaska National Guard or Alaska Naval Militia shall be
5 included in this system upon commencement of membership in the Alaska
6 National Guard or Alaska Naval Militia [, OR ON JANUARY 1, 1973, WHICH-
7 EVER IS LATER, OR UPON COMMENCEMENT OF MEMBERSHIP IN THE ALASKA NAVAL
8 MILITIA OR ON JULY 1, 1980, WHICHEVER IS LATER].

9 * Sec. 11. AS 26.05.224(a)(1) is amended to read:

10 (1) upon voluntary retirement from the Alaska National Guard
11 or Alaska Naval Militia after a total of 20 years or more of satisfac-
12 tory service in the Alaska National Guard, Alaska Naval Militia, or
13 active military service in the armed forces of the United States, and
14 the reserves of them, or any combination of service in these components
15 [IF AT LEAST FIVE YEARS OF THE SERVICE IS IN THE ALASKA NATIONAL GUARD
16 OR ALASKA NAVAL MILITIA]; or

17 * Sec. 12. AS 26.05.224(b) is amended to read:

18 (b) The retirement pension is the same amount of money that is
19 payable monthly under the Alaska longevity bonus program (AS 47.45.010).
20 The retirement pension shall be paid [\$100 A MONTH PAYABLE] for the
21 total [SAME] number of months that the member participated satisfac-
22 torily in the Alaska National Guard or Alaska Naval Militia.

23 * Sec. 13. AS 26.05.224(c) is amended to read:

24 (c) An eligible member or former member may elect to receive his
25 retirement pension beginning on the first day of the month in which he
26 becomes eligible for retirement, or the member or former member may
27 elect to defer payment to a later date. Payment of a deferred retire-
28 ment benefit may not begin until application for the benefit is filed
29 with and approved by the Department of Military Affairs. [DEFERRED

1 RETIREMENT PAYMENTS MUST BE MADE MONTHLY AT THE RATE OF \$100.]

2 * Sec. 14. AS 26.05.226(a) is amended to read:

3 (a) The Department of Military Affairs shall contribute to the
4 Alaska National Guard and Alaska Naval Militia retirement system the
5 amounts determined by the commissioner of administration as necessary
6 to

7 (1) fund the system based on the actuarial requirements of
8 the system as established by the commissioner of administration; and

9 (2) administer the system.

10 * Sec. 15. AS 26.05.227(3) is amended to read:

11 (3) "system" means the Alaska National Guard and Alaska
12 Naval Militia retirement system.

13 * Sec. 16. AS 26.05.260(c) is amended to read:

14 (c) A member [ENLISTED PERSONS] of the Alaska [ARMY NATIONAL
15 GUARD, AIR] National Guard or Alaska [AND] Naval Militia shall receive
16 for each day of active service for the state, under orders of the
17 governor, pay and allowances equal to those provided by federal laws
18 and regulations for members [ENLISTED PERSONS] of like grades of the
19 United States Army, United States Air Force and United States Navy,
20 plus compensation equal to the per diem allowance payable to a state
21 officer or employee at the location where the service is performed.

22 [HOWEVER, NO ENLISTED PERSON SHALL RECEIVE PAY AND ALLOWANCES OF LESS
23 THAN \$6 A DAY.]

24 * Sec. 17. AS 26.05.260 is amended by adding new subsections to read:

25 (h) A member of the Alaska National Guard or Alaska Naval Militia
26 who is injured or disabled while on active duty for the state and while
27 lawfully performing his duties, including transit to and from his home
28 of record, is entitled to the compensation and benefits available under
29 the Alaska Workers' Compensation Act (AS 23.30) for the injury or dis-

1 ability.

2 (1) If a member of the Alaska National Guard or Alaska Naval
3 Militia dies as a result of an injury or disability received while on
4 active duty for the state and while lawfully performing his duties,
5 including transit to and from his home of record, his designated bene-
6 ficiaries are entitled to receive death benefits allowed beneficiaries
7 under the Alaska Workers' Compensation Act (AS 23.30). In addition,
8 the Department of Military Affairs shall send to the beneficiaries,
9 within 15 days of receipt by the department of notice of the member's
10 death, a payment equal to six times the deceased member's monthly
11 salary as designated in (c) of this section, including special and
12 incentive pay, applicable on the date of the member's death. This
13 additional payment will be made only if (1) the death occurs on or
14 before the 120th day after the member's release from active duty ordered
15 by the governor, and (2) a state surgeon in the Alaska National Guard
16 or Alaska Naval Militia determines that the member's death resulted
17 from an injury or disability received during that active duty period.
18 The Department of Military Affairs shall also pay to the designated
19 beneficiaries the pay and allowances accrued but unpaid to the member
20 at the time of death within 15 days after the date of notice of his
21 death is received by the department. Persons are considered to be
22 designated beneficiaries when they are designated as beneficiaries in a
23 member's military personnel record file. If a member does not
24 designate a beneficiary, beneficiaries under this subsection shall be
25 determined in accordance with the Alaska Workers' Compensation Act
26 (AS 23.30).

27 * Sec. 18. AS 26.05.265 is amended to read:

28 Sec. 26.05.265. REENLISTMENT BONUS. (a) A bonus shall be paid
29 to an enlisted [A] person who, at the time his enlistment is completed,

1 reenlists or extends an enlistment in the Alaska National Guard or the
2 Alaska Naval Militia for six years. The bonus is \$3,000 payable in the
3 amount of \$1,000 at the satisfactory completion of the second year of
4 reenlistment or extension, \$1,000 at the satisfactory completion of the
5 fourth year, and \$1,000 at the satisfactory completion of the sixth
6 year. [A SUM EQUAL TO 10 DAYS OF BASIC PAY FOR EACH YEAR HE REENLISTS
7 OR EXTENDS HIS ENLISTMENT, COMPUTED ACCORDING TO A MEMBER'S GRADE AT
8 THE END OF EACH QUALIFYING YEAR AND PAYABLE AT THAT TIME. PAYMENT OF A
9 BONUS IS CONTINGENT UPON THE MEMBER SATISFACTORILY PARTICIPATING IN
10 UNIT TRAINING ACTIVITIES FOR THE YEAR FOR WHICH PAYMENT IS TO BE MADE.]

11 (b) A person who has a break in service of more than 30 days for-
12 feits his eligibility for a reenlistment bonus.

13 * Sec. 19. AS 26.05.296(a) is amended to read:

14 (a) To the extent funds are available, the adjutant general shall
15 authorize the payment of not more than 75 [50] percent of the cost of
16 tuition, books, and required fees for each active and retired [MALE OR
17 FEMALE] member of the Alaska National Guard or the Alaska Naval Militia
18 who attends an educational, vocational, or technical training school in
19 Alaska. Payments authorized under this section continue so long as (1)
20 the active member participates satisfactorily in unit training activi-
21 ties or the retired member is on the retired member list; and (2) the
22 member pursues the course of study in a manner acceptable to the school.

23 * Sec. 20. AS 26.05 is amended by adding a new section to read:

24 Sec. 26.05.297. ALASKA SENIOR RESERVE OFFICERS' TRAINING CORPS
25 SCHOLARSHIP PROGRAM. (a) There is established in the Department of
26 Military Affairs an Alaska Senior Reserve Officers' Training Corps
27 scholarship program.

28 (b) Persons meeting the eligibility requirements of (c) of this
29 section may receive a scholarship equal to the cost of resident tuition,

1 fees, and books at the University of Alaska for each semester to the
2 extent money is available.

3 (c) To be eligible for a scholarship, a person must

4 (1) be enrolled as a full-time student at the University of
5 Alaska and qualify for resident tuition status;

6 (2) be participating in the Senior Reserve Officers' Training
7 Corps program at the University of Alaska for that semester;

8 (3) be a member of the Alaska National Guard or Alaska Naval
9 Militia;

10 (4) maintain a satisfactory standard of academic achievements
11 as prescribed by the adjutant general;

12 (5) meet all federal requirements for appointment as an
13 officer in the Alaska National Guard;

14 (6) agree in writing that he will accept an appointment, if
15 offered, as a commissioned officer in the Alaska National Guard or
16 Alaska Naval Militia and that he will serve in the Alaska National
17 Guard or Alaska Naval Militia for a period of time prescribed by the
18 adjutant general.

19 (d) A person receiving a scholarship under this section is ineli-
20 gible for benefits under AS 26.05.295 or 26.05.296.

21 * Sec. 21. AS 39.35.340 is amended by adding a new subsection to read:

22 (i) An employee is not required to make contributions for credited
23 service under this section if the employee is a member or former member
24 of the Alaska National Guard, Alaska Naval Militia, or the Territorial
25 Guard, with a total period of credited service of at least 20 years
26 when added to the military service claimed.

27 * Sec. 22. AS 39.35 is amended by adding a new section to read:

28 Sec. 39.35.345. CREDIT FOR MEMBERSHIP IN THE ALASKA NATIONAL
29 GUARD AND ALASKA NAVAL MILITIA. (a) A vested member who is a member

1 of the Alaska National Guard or Alaska Naval Militia may receive
2 credited service under this system for all or any part of his credited
3 service under the Alaska National Guard and Alaska Naval Militia retire-
4 ment system (AS 26.05.222 - 26.05.227) by electing to forgo four months
5 of credited service under that retirement system for each month of
6 service credited under this system.

7 (b) A vested member who is a former member of the Alaska National
8 Guard or Alaska Naval Militia with at least six years credited service
9 under the Alaska National Guard and Alaska Naval Militia retirement
10 system (AS 26.05.222 - 26.05.227) may receive credited service under
11 (a) of this section. If the vested member has received retirement
12 pension benefits under the Alaska National Guard and Alaska Naval
13 Militia retirement system and wishes to claim credited service with
14 respect to months for which benefits have been paid, he is indebted to
15 this system in the amount of those benefits. Interest as prescribed by
16 regulation adopted by the administrator accrues on this indebtedness
17 beginning on the date the vested member received the first benefit for
18 which he is indebted to this system or July 1, 1980, whichever is
19 later. Any outstanding indebtedness which exists at the time a person
20 is appointed to retirement will necessitate an actuarial adjustment to
21 the benefits payable under this section.

22 (c) Except as provided in (b) of this section, an employee is not
23 required to make contributions for credited service allowed under this
24 section.

25 (d) The credited service allowed under this section may not
26 exceed an aggregate period of five years and may not be used to satisfy
27 the credited service requirements for normal or early retirement.

28 (e) An employee may not receive credited service under this sec-
29 tion if credit for membership in the Alaska National Guard or Alaska

1 Naval Militia was granted under AS 14.25.

2 (f) As used in this section, "credited service under the Alaska
3 National Guard and Alaska Naval Militia retirement system" means the
4 total number of months that a person included in that system was a
5 member of the Territorial Guard, Alaska National Guard, or Alaska Naval
6 Militia.

7 * Sec. 23. AS 26.05.260(b), (d), (e), (f), and (g) are repealed.

8 * Sec. 24. A person described in AS 14.25.100(f) added by sec. 3 of this
9 Act or in AS 39.35.340(i) added by sec. 21 of this Act who made contributions
10 for military service credit before the effective date of this Act is entitled
11 to a refund of those contributions.

12 * Sec. 25. The first appointees to the National Guard Advisory Board
13 established in AS 26.05.165 added by sec. 8 of this Act shall serve the
14 following terms: two for one-year terms; two for two-year terms; and three
15 for three-year terms.

16 * Sec. 26. A retired member or a deferred vested member on July 1, 1981,
17 is eligible for any increase in benefits resulting from the amendments to
18 AS 14.25 (teachers' retirement system) in secs. 1 - 5 of this Act.

19 * Sec. 27. A retired member or deferred vested member on July 1, 1981,
20 is eligible for any increase in benefits resulting from the amendments to
21 AS 39.35 (public employees' retirement system) in secs. 21 and 22 of this
22 Act.

23 * Sec. 28. A retired member of the Alaska National Guard or Alaska Naval
24 Militia on July 1, 1981, is eligible for any increase in the retirement
25 pension payable under AS 26.05.222 - 26.05.227 resulting from the amendments
26 to AS 26.05 (Alaska National Guard and Alaska Naval Militia retirement
27 system) in secs. 9 - 13 of this Act.

28 * Sec. 29. If a retired or former member eligible for a credit or refund
29 under secs. 4, 22, or 24 of this Act dies before June 30, 1981, his bene-

1 ficiary on July 1, 1981 shall receive those accrued benefits not received by
2 the deceased.

3 * Sec. 30. The amendments made to AS 26.05.265 in sec. 18 of this Act do
4 not apply to a person who was receiving state reenlistment bonus payments
5 under AS 26.05.265 for a reenlistment or extension approved before July 1,
6 1981.

7 * Sec. 31. This Act takes effect July 1, 1981.
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Original sponsors: Miller and Duncan

Offered: 5/20/81
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 388 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST 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 14.25.060(c) is amended to read:

11 (c) The total military service claimed may not exceed five years.
12 The total Alaska National Guard and Alaska Naval Militia service claimed
13 may not exceed five years. The combined total of outside, [AND] mili-
14 tary, and Alaska National Guard and Alaska Naval Militia service may
15 not exceed 10 years, except that, if entry into the armed forces is
16 immediately preceded by membership service and within one year after
17 discharge is continued by membership service, that service will not be
18 counted for purposes of determining the applicability of the 10-year
19 limitation on the combined total of outside, [AND] military, and Alaska
20 National Guard and Alaska Naval Militia service. The combined total of
21 outside, military, Alaska National Guard and Alaska Naval Militia, and
22 Alaska BIA service may not exceed 15 years.

23 * Sec. 2. AS 14.25.100(a) is amended to read:

24 (a) A member who served as an active member of the armed forces
25 of the United States may receive credited [CREDITABLE] service under
26 this system up to a maximum of five years. Each 12 months of military
27 service equals one school year, and lesser military periods will be
28 determined for credit purposes in a proportionate ratio to a year. To
29 receive credited [CREDITABLE] service under this section, the member

1 must have received a discharge other than dishonorable. Except as
2 provided in (f) of this section, credit [CREDIT] for service in the
3 armed forces shall be granted only if the member makes contributions
4 for the service [IN THE SAME MANNER AS REQUIRED FOR OUTSIDE SERVICE]
5 under AS 14.25.060. [THE MILITARY SERVICE CREDITED UNDER THIS SECTION
6 SHALL BE INCLUDED IN THE 10-YEAR LIMITATION OF OUTSIDE SERVICE AS
7 SPECIFIED IN AS 14.25.060, EXCEPT IF ENTRY INTO THE ARMED FORCES IS
8 IMMEDIATELY PRECEDED BY ALASKA MEMBERSHIP SERVICE AND FOLLOWING DIS-
9 CHARGE IS CONTINUED BY ALASKA MEMBERSHIP SERVICE WITHIN ONE YEAR
10 THEREAFTER, SERVICE MAY NOT BE COUNTED FOR PURPOSES OF DETERMINING THE
11 APPLICABILITY OF THE 10-YEAR LIMITATION ON OUTSIDE SERVICE.]

12 * Sec. 3. AS 14.25.100 is amended by adding a new subsection to read:

13 (f) Notwithstanding AS 14.25.060 and (a) of this section, a
14 member is not required to make contributions for credit for service in
15 the armed forces if the member is a member or former member of the
16 Alaska National Guard or Alaska Naval Militia, or a former member of
17 the Territorial Guard, and the military service claimed under this
18 section plus the Alaska National Guard, Alaska Naval Militia, or Terri-
19 torial Guard service equals or exceeds 20 years.

20 * Sec. 4. AS 14.25 is amended by adding a new section to read:

21 Sec. 14.25.103. CREDIT FOR MEMBERSHIP IN THE ALASKA NATIONAL
22 GUARD AND ALASKA NAVAL MILITIA. (a) A member who is a member of the
23 Alaska National Guard or Alaska Naval Militia may receive credited
24 service under this system for all or a part of his credited service
25 under the Alaska National Guard and Alaska Naval Militia retirement
26 system (AS 26.05.222 - 26.05.227) by electing to forgo four months of
27 credited service under that retirement system for each month of service
28 credited under this system. Each 12 months of service credited under
29 this system equals one school year, and lesser periods will be deter-

1 mined for credit purposes in a proportionate ratio to a year.

2 (b) A member who is a former member of the Alaska National Guard
3 or Alaska Naval Militia with at least six years credited service under
4 the Alaska National Guard and Alaska Naval Militia retirement system
5 (AS 26.05.222 - 26.05.227) may receive credited service under (a) of
6 this section. If the member has received retirement benefits under the
7 Alaska National Guard and Alaska Naval Militia retirement system and
8 wishes to claim credited service with respect to the months for which
9 benefits have been paid, he is indebted to the retirement fund in the
10 amount of those benefits. Compound interest at the rate prescribed by
11 regulation adopted by the administrator shall be added to the arrearage
12 indebtedness beginning on the date the member received the first benefit
13 for which he is indebted to the retirement fund or July 1, 1981, which-
14 ever is later, and continuing to the date of payment from the retire-
15 ment fund or the date of retirement, whichever occurs first.

16 (c) Except as provided in (b) of this section, a member is not
17 required to make contributions for credited service allowed under this
18 section.

19 (d) The credited service allowed under this section may not
20 exceed an aggregate period of five years.

21 (e) A member may not receive credited service under this section
22 if credit for membership in the Alaska National Guard or Alaska Naval
23 Militia was granted under the public employees' retirement system
24 (AS 39.35).

25 (f) In this section, "credited service under the Alaska National
26 Guard and Alaska Naval Militia retirement system" means the total
27 number of months that a person included in that system was a member of
28 the Territorial Guard, Alaska National Guard, or Alaska Naval Militia.

29 * Sec. 5. AS 14.25.220(10) is amended to read:

1 (10) "credited service" means all membership service as pro-
2 vided in (20) of this section, plus outside, military, Alaska National
3 Guard, Alaska Naval Militia, Territorial Guard, and BIA service not
4 exceeding 15 years, with outside, Alaska National Guard, Alaska Naval
5 Militia, Territorial Guard, and military service limited to 10 years
6 except under the conditions set out in AS 14.25.100;

7 * Sec. 6. AS 23.30 is amended by adding a new section to read:

8 Sec. 23.30.238. MEMBERS OF THE NATIONAL GUARD AND NAVAL MILITIA.
9 A member of the Alaska National Guard or Alaska Naval Militia while on
10 active duty for the state and lawfully performing his duties is an
11 employee of the state for the purposes of this chapter. Weekly compen-
12 sation for disability or death under this section may not be less than
13 the initial payment of compensation under AS 23.30.175.

14 * Sec. 7. AS 26.05 is amended by adding new sections to read:

15 Sec. 26.05.165. NATIONAL GUARD ADVISORY BOARD. There is estab-
16 lished the National Guard Advisory Board, whose members are appointed
17 by the governor and serve at his pleasure. The National Guard Advisory
18 Board is composed of

19 (1) an employee of the Department of Military Affairs who is
20 a member of the Alaska National Guard or Alaska Naval Militia;

21 (2) an officer in the Alaska Army National Guard, not em-
22 ployed by the Department of Military Affairs;

23 (3) an enlisted person in the Alaska Army National Guard,
24 not employed by the Department of Military Affairs;

25 (4) an officer in the Alaska Air National Guard, not employed
26 by the Department of Military Affairs;

27 (5) an enlisted person in the Alaska Air National Guard, not
28 employed by the Department of Military Affairs;

29 (6) two public members.

1 Sec. 26.05.166. TERM OF OFFICE. Members of the National Guard
2 Advisory Board shall be appointed for overlapping terms of three years.
3 A person appointed to fill a vacancy on the National Guard Advisory
4 Board shall serve for the remainder of the unexpired term.

5 Sec. 26.05.167. QUORUM. A majority of the membership of the
6 National Guard Advisory Board constitutes a quorum to transact the
7 business of the board, but a majority of the members of the board must
8 approve the list of persons recommended for appointment to the office
9 of the adjutant general under AS 26.05.160(a).

10 Sec. 26.05.168. TRANSPORTATION AND PER DIEM. Members of the
11 National Guard Advisory Board receive no compensation for their service
12 on the board but are entitled to the travel expenses and per diem pro-
13 vided in AS 39.20.180 when necessary to attend meetings of the board.

14 Sec. 26.05.169. DUTIES. The National Guard Advisory Board shall
15 recommend to the governor and to the adjutant general of the state
16 legislation that will enhance the recruitment, retention, and retire-
17 ment programs for the Alaska National Guard and Alaska Naval Militia.

18 * Sec. 8. AS 26.05.222 is amended to read:

19 Sec. 26.05.222. CREATION AND ADMINISTRATION OF ALASKA NATIONAL
20 GUARD AND ALASKA NAVAL MILITIA RETIREMENT SYSTEM. (a) There is estab-
21 lished an Alaska National Guard and Alaska Naval Militia retirement
22 system. The commissioner of administration shall administer the Alaska
23 National Guard and Alaska Naval Militia retirement system.

24 (b) The commissioner of administration may adopt regulations to
25 implement the Alaska National Guard and Alaska Naval Militia retirement
26 system. Regulations adopted by the commissioner under this subsection
27 relate to the internal management of state agencies and their adoption
28 is not subject to the Administrative Procedure Act (AS 44.62).

29 * Sec. 9. AS 26.05.223 is amended to read:

1 Sec. 26.05.223. COMMENCEMENT OF PARTICIPATION IN SYSTEM. A
2 member of the Alaska National Guard or Alaska Naval Militia shall be
3 included in this system upon commencement of membership in the Alaska
4 National Guard or Alaska Naval Militia [, OR ON JANUARY 1, 1973, WHICH-
5 EVER IS LATER, OR UPON COMMENCEMENT OF MEMBERSHIP IN THE ALASKA NAVAL
6 MILITIA OR ON JULY 1, 1980, WHICHEVER IS LATER].

7 * Sec. 10. AS 26.05.224(a)(1) is amended to read:

8 (1) upon voluntary retirement from the Alaska National Guard
9 or Alaska Naval Militia after a total of 20 years or more of satisfac-
10 tory service in the Alaska National Guard, Alaska Naval Militia, or
11 active military service in the armed forces of the United States, and
12 the reserves of them, or any combination of service in these components
13 [IF AT LEAST FIVE YEARS OF THE SERVICE IS IN THE ALASKA NATIONAL GUARD
14 OR ALASKA NAVAL MILITIA]; or

15 * Sec. 11. AS 26.05.224(b) is amended to read:

16 (b) The retirement pension is the same amount of money that is
17 payable monthly under the Alaska longevity bonus program (AS 47.45.010).
18 The retirement pension shall be paid [\$100 A MONTH PAYABLE] for the
19 total [SAME] number of months that the member participated satisfac-
20 torily in the Alaska National Guard or Alaska Naval Militia.

21 * Sec. 12. AS 26.05.224(c) is amended to read:

22 (c) An eligible member or former member may elect to receive his
23 retirement pension beginning on the first day of the month in which he
24 becomes eligible for retirement, or the member or former member may
25 elect to defer payment to a later date. Payment of a deferred retire-
26 ment benefit may not begin until application for the benefit is filed
27 with and approved by the Department of Military Affairs. [DEFERRED
28 RETIREMENT PAYMENTS MUST BE MADE MONTHLY AT THE RATE OF \$100.]

29 * Sec. 13. AS 26.05.226(a) is amended to read:

1 (a) The Department of Military Affairs shall contribute to the
2 Alaska National Guard and Alaska Naval Militia retirement system the
3 amounts determined by the commissioner of administration as necessary
4 to

5 (1) fund the system based on the actuarial requirements of
6 the system as established by the commissioner of administration; and

7 (2) administer the system.

8 * Sec. 14. AS 26.05.227(3) is amended to read:

9 (3) "system" means the Alaska National Guard and Alaska
10 Naval Militia retirement system.

11 * Sec. 15. AS 26.05.260(c) is amended to read:

12 (c) A member [ENLISTED PERSONS] of the Alaska [ARMY NATIONAL
13 GUARD, AIR] National Guard or Alaska [AND] Naval Militia shall receive
14 for each day of active service for the state, under orders of the
15 governor, pay and allowances equal to those provided by federal laws
16 and regulations for members [ENLISTED PERSONS] of like grades of the
17 United States Army, United States Air Force and United States Navy,
18 plus compensation equal to the per diem allowance payable to a state
19 officer or employee at the location where the service is performed.

20 [HOWEVER, NO ENLISTED PERSON SHALL RECEIVE PAY AND ALLOWANCES OF LESS
21 THAN \$6 A DAY.]

22 * Sec. 16. AS 26.05.260 is amended by adding new subsections to read:

23 (h) A member of the Alaska National Guard or Alaska Naval Militia
24 who is injured or disabled while on active duty for the state and while
25 lawfully performing his duties, including transit to and from his home
26 of record, is entitled to the compensation and benefits available under
27 the Alaska Workers' Compensation Act (AS 23.30) for the injury or dis-
28 ability.

29 (i) If a member of the Alaska National Guard or Alaska Naval

1 Militia die as a result of an injury or disability received while on
2 active duty for the state and while lawfully performing his duties,
3 including transit to and from his home of record, his designated bene-
4 ficiaries are entitled to receive death benefits allowed beneficiaries
5 under the Alaska Workers' Compensation Act (AS 23.30). In addition,
6 the Department of Military Affairs shall send to the beneficiaries,
7 within 15 days of receipt by the department of notice of the member's
8 death, a payment equal to six times the deceased member's monthly
9 salary as designated in (c) of this section, including special and
10 incentive pay, applicable on the date of the member's death. This
11 additional payment will be made only if (1) the death occurs on or
12 before the 120th day after the member's release from active duty
13 ordered by the governor, and (2) a state surgeon in the Alaska National
14 Guard or Alaska Naval Militia determines that the member's death
15 resulted from an injury or disability received during that active duty
16 period. The Department of Military Affairs shall also pay to the
17 designated beneficiaries the pay and allowances accrued but unpaid to
18 the member at the time of death within 15 days after the date of notice
19 of his death is received by the department. Persons are considered to
20 be designated beneficiaries when they are designated as beneficiaries
21 in a member's military personnel record file. If a member does not
22 designate a beneficiary, beneficiaries under this subsection shall be
23 determined in accordance with the Alaska Workers' Compensation Act
24 (AS 23.30).

25 * Sec. 17. AS 26.05.265 is amended to read:

26 Sec. 26.05.265. REENLISTMENT BONUS. (a) A bonus shall be paid
27 to an enlisted [A] person who, at the time his enlistment is completed,
28 reenlists or extends an enlistment in the Alaska National Guard or the
29 Alaska Naval Militia for six years. The bonus is \$3,000 payable in the

1 amount of \$1,000 at the satisfactory completion of the second year of
2 reenlistment or extension, \$1,000 at the satisfactory completion of the
3 fourth year, and \$1,000 at the satisfactory completion of the sixth
4 year. [A SUM EQUAL TO 10 DAYS OF BASIC PAY FOR EACH YEAR HE REENLISTS
5 OR EXTENDS HIS ENLISTMENT, COMPUTED ACCORDING TO A MEMBER'S GRADE AT
6 THE END OF EACH QUALIFYING YEAR AND PAYABLE AT THAT TIME. PAYMENT OF A
7 BONUS IS CONTINGENT UPON THE MEMBER SATISFACTORILY PARTICIPATING IN
8 UNIT TRAINING ACTIVITIES FOR THE YEAR FOR WHICH PAYMENT IS TO BE MADE.]

9 (b) A person who has a break in service of more than 30 days for-
10 feits his eligibility for a reenlistment bonus.

11 * Sec. 18. AS 26.05.296(a) is amended to read:

12 (a) To the extent funds are available, the adjutant general shall
13 authorize the payment of not more than 75 [50] percent of the cost of
14 tuition, books, and required fees for each active and retired [MALE OR
15 FEMALE] member of the Alaska National Guard or the Alaska Naval Militia
16 who attends an educational, vocational, or technical training school in
17 Alaska. Payments authorized under this section continue so long as (1)
18 the active member participates satisfactorily in unit training activi-
19 ties or the retired member is on the retired member list; and (2) the
20 member pursues the course of study in a manner acceptable to the
21 school.

22 * Sec. 19. AS 26.05 is amended by adding a new section to read:

23 Sec. 26.05.297. ALASKA SENIOR RESERVE OFFICERS' TRAINING CORPS
24 SCHOLARSHIP PROGRAM. (a) There is established in the Department of
25 Military Affairs an Alaska Senior Reserve Officers' Training Corps
26 scholarship program.

27 (b) Persons meeting the eligibility requirements of (c) of this
28 section may receive a scholarship equal to the cost of resident tuition,
29 fees, and books at the University of Alaska for each semester to the

1 extent money is available.

2 (c) To be eligible for a scholarship, a person must

3 (1) be enrolled as a full-time student at the University of
4 Alaska and qualify for resident tuition status;

5 (2) be participating in the Senior Reserve Officers' Training
6 Corps program at the University of Alaska for that semester;

7 (3) be a member of the Alaska National Guard or Alaska Naval
8 Militia;

9 (4) maintain a satisfactory standard of academic achieve-
10 ments as prescribed by the adjutant general;

11 (5) meet all federal requirements for appointment as an
12 officer in the Alaska National Guard;

13 (6) agree in writing that he will accept an appointment, if
14 offered, as a commissioned officer in the Alaska National Guard or
15 Alaska Naval Militia and that he will serve in the Alaska National
16 Guard or Alaska Naval Militia for a period of time prescribed by the
17 adjutant general.

18 (d) A person receiving a scholarship under this section is ineli-
19 gible for benefits under AS 26.05.295 or 26.05.296.

20 * Sec. 20. AS 39.35.340 is amended by adding a new subsection to read:

21 (i) An employee is not required to make contributions for credited
22 service under this section if the employee is a member or former member
23 of the Alaska National Guard, Alaska Naval Militia, or the Territorial
24 Guard, with a total period of credited service which equals or exceeds
25 20 years when added to the military service claimed.

26 * Sec. 21. AS 39.35 is amended by adding a new section to read:

27 Sec. 39.35.345. CREDIT FOR MEMBERSHIP IN THE ALASKA NATIONAL
28 GUARD AND ALASKA NAVAL MILITIA. (a) A vested member who is a member
29 of the Alaska National Guard or Alaska Naval Militia may receive

1 credited service under this system for all or any part of his credited
2 service under the Alaska National Guard and Alaska Naval Militia
3 retirement system (AS 26.05.222 - 26.05.227) by electing to forgo four
4 months of credited service under that retirement system for each month
5 of service credited under this system.

6 (b) A vested member who is a former member of the Alaska National
7 Guard or Alaska Naval Militia with at least six years credited service
8 under the Alaska National Guard and Alaska Naval Militia retirement
9 system (AS 26.05.222 - 26.05.227) may receive credited service under
10 (a) of this section. If the vested member has received retirement
11 pension benefits under the Alaska National Guard and Alaska Naval
12 Militia retirement system and wishes to claim credited service with
13 respect to months for which benefits have been paid, he is indebted to
14 this system in the amount of those benefits. Interest as prescribed by
15 regulation adopted by the administrator accrues on this indebtedness
16 beginning on the date the vested member received the first benefit for
17 which he is indebted to this system or July 1, 1980, whichever is
18 later. Any outstanding indebtedness which exists at the time a person
19 is appointed to retirement will necessitate an actuarial adjustment to
20 the benefits payable under this section.

21 (c) Except as provided in (b) of this section, an employee is not
22 required to make contributions for credited service allowed under this
23 section.

24 (d) The credited service allowed under this section may not
25 exceed an aggregate period of five years and may not be used to satisfy
26 the credited service requirements for normal or early retirement.

27 (e) An employee may not receive credited service under this sec-
28 tion if credit for membership in the Alaska National Guard or Alaska
29 Naval Militia was granted under AS 14.25.

1 (f) As used in this section, "credited service under the Alaska
2 National Guard and Alaska Naval Militia retirement system" means the
3 total number of months that a person included in that system was a
4 member of the Territorial Guard, Alaska National Guard, or Alaska Naval
5 Militia.

6 * Sec. 22. AS 26.05.260(b), (d), (e), (f), and (g) are repealed.

7 * Sec. 23. A person described in AS 14.25.100(f) added by sec. 3 of this
8 Act or in AS 39.35.340(i) added by sec. 20 of this Act who made contributions
9 for military service credit before the effective date of this Act is entitled
10 to a refund of those contributions.

11 * Sec. 24. The first appointees to the National Guard Advisory Board
12 established in AS 26.05.165 added by sec. 7 of this Act shall serve the
13 following terms: two for one-year terms; two for two-year terms; and three
14 for three-year terms.

15 * Sec. 25. A retired member or a deferred vested member on July 1, 1981,
16 is eligible for any increase in benefits resulting from the amendments to
17 AS 14.25 (teachers' retirement system) in secs. 1 - 5 of this Act.

18 * Sec. 26. A retired member or deferred vested member on July 1, 1981,
19 is eligible for any increase in benefits resulting from the amendments to
20 AS 39.35 (public employees' retirement system) in secs. 20 and 21 of this
21 Act.

22 * Sec. 27. A retired member of the Alaska National Guard or Alaska Naval
23 Militia on July 1, 1981, is eligible for any increase in the retirement
24 pension payable under AS 26.05.222 - 26.05.227 resulting from the amendments
25 to AS 26.05 (Alaska National Guard and Alaska Naval Militia retirement
26 system) in secs. 8 - 12 of this Act.

27 * Sec. 28. If a retired or former member eligible for a credit or refund
28 under secs. 4, 21, or 23 of this Act dies before June 30, 1981, his bene-
29 ficiary on July 1, 1981, shall receive those accrued benefits not received

1 by the deceased.

2 * Sec. 29. The amendments made to AS 26.05.265 in sec. 17 of this Act do
3 not apply to a person who was receiving state reenlistment bonus payments
4 under AS 26.05.265 for a reenlistment or extension approved before July 1,
5 1981.

6 * Sec. 30. This Act takes effect July 1, 1981.
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COMMITTEE REPORT

HOUSE

5/20

3/25/81

FURTHER: FINANCE

(5)

Date: 5-15-81

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 388

"An Act relating to the Alaska National Guard and Alaska Naval Militia; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 388 (SA) same title
 new title
- and recommends CS HB 388 (S.A.) DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note COMING
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]
[Signature]
[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
 CHAIRMAN

Walker
12-0045

Original sponsors: Miller and Duncan

Offered: 5/20/81
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 388 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST 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 14.25.060(c) is amended to read:

11 (c) The total military service claimed may not exceed five years.
12 The total Alaska National Guard and Alaska Naval Militia service claimed
13 may not exceed five years. The combined total of outside, [AND] mili-
14 tary, and Alaska National Guard and Alaska Naval Militia service may
15 not exceed 10 years, except that, if entry into the armed forces is
16 immediately preceded by membership service and within one year after
17 discharge is continued by membership service, that service will not be
18 counted for purposes of determining the applicability of the 10-year
19 limitation on the combined total of outside, [AND] military, and Alaska
20 National Guard and Alaska Naval Militia service. The combined total of
21 outside, military, Alaska National Guard and Alaska Naval Militia, and
22 Alaska BIA service may not exceed 15 years.

23 * Sec. 2. AS 14.25.100(a) is amended to read:

24 (a) A member who served as an active member of the armed forces
25 of the United States may receive credited [CREDITABLE] service under
26 this system up to a maximum of five years. Each 12 months of military
27 service equals one school year, and lesser military periods will be
28 determined for credit purposes in a proportionate ratio to a year. To
29 receive credited [CREDITABLE] service under this section, the member

COMMITTEE COPY

Final note coming later 5/20

1 must have received a discharge other than dishonorable. Except as
2 provided in (f) of this section, credit [CREDIT] for service in the
3 armed forces shall be granted only if the member makes contributions
4 for the service [IN THE SAME MANNER AS REQUIRED FOR OUTSIDE SERVICE]
5 under AS 14.25.060. [THE MILITARY SERVICE CREDITED UNDER THIS SECTION
6 SHALL BE INCLUDED IN THE 10-YEAR LIMITATION OF OUTSIDE SERVICE AS
7 SPECIFIED IN AS 14.25.060, EXCEPT IF ENTRY INTO THE ARMED FORCES IS
8 IMMEDIATELY PRECEDED BY ALASKA MEMBERSHIP SERVICE AND FOLLOWING DIS-
9 CHARGE IS CONTINUED BY ALASKA MEMBERSHIP SERVICE WITHIN ONE YEAR
10 THEREAFTER, SERVICE MAY NOT BE COUNTED FOR PURPOSES OF DETERMINING THE
11 APPLICABILITY OF THE 10-YEAR LIMITATION ON OUTSIDE SERVICE.]

12 * Sec. 3. AS 14.25.100 is amended by adding a new subsection to read:

13 (f) Notwithstanding AS 14.25.060 and (a) of this section, a
14 member is not required to make contributions for credit for service in
15 the armed forces if the member is a member or former member of the
16 Alaska National Guard or Alaska Naval Militia, or a former member of
17 the Territorial Guard, and the military service claimed under this
18 section plus the Alaska National Guard, Alaska Naval Militia, or Terri-
19 torial Guard service equals or exceeds 20 years.

20 * Sec. 4. AS 14.25 is amended by adding a new section to read:

21 Sec. 14.25.103. CREDIT FOR MEMBERSHIP IN THE ALASKA NATIONAL
22 GUARD AND ALASKA NAVAL MILITIA. (a) A member who is a member of the
23 Alaska National Guard or Alaska Naval Militia may receive credited
24 service under this system for all or a part of his credited service
25 under the Alaska National Guard and Alaska Naval Militia retirement
26 system (AS 26.05.222 - 26.05.227) by electing to forgo four months of
27 credited service under that retirement system for each month of service
28 credited under this system. Each 12 months of service credited under
29 this system equals one school year, and lesser periods will be deter-

1 mined for credit purposes in a proportionate ratio to a year.

2 (b) A member who is a former member of the Alaska National Guard
3 or Alaska Naval Militia with at least six years credited service under
4 the Alaska National Guard and Alaska Naval Militia retirement system
5 (AS 26.05.222 - 26.05.227) may receive credited service under (a) of
6 this section. If the member has received retirement benefits under the
7 Alaska National Guard and Alaska Naval Militia retirement system and
8 wishes to claim credited service with respect to the months for which
9 benefits have been paid, he is indebted to the retirement fund in the
10 amount of those benefits. Compound interest at the rate prescribed by
11 regulation adopted by the administrator shall be added to the arrearage
12 indebtedness beginning on the date the member received the first benefit
13 for which he is indebted to the retirement fund or July 1, 1981, which-
14 ever is later, and continuing to the date of payment from the retire-
15 ment fund or the date of retirement, whichever occurs first.

16 (c) Except as provided in (b) of this section, a member is not
17 required to make contributions for credited service allowed under this
18 section.

19 (d) The credited service allowed under this section may not
20 exceed an aggregate period of five years.

21 (e) A member may not receive credited service under this section
22 if credit for membership in the Alaska National Guard or Alaska Naval
23 Militia was granted under the public employees' retirement system
24 (AS 39.35).

25 (f) In this section, "credited service under the Alaska National
26 Guard and Alaska Naval Militia retirement system" means the total
27 number of months that a person included in that system was a member of
28 the Territorial Guard, Alaska National Guard, or Alaska Naval Militia.

29 * Sec. 5. AS 14.25.220(10) is amended to read:

1 (10) "credited service" means all membership service as pro-
2 vided in (20) of this section, plus outside, military, Alaska National
3 Guard, Alaska Naval Militia, Territorial Guard, and BIA service not
4 exceeding 15 years, with outside, Alaska National Guard, Alaska Naval
5 Militia, Territorial Guard, and military service limited to 10 years
6 except under the conditions set out in AS 14.25.100;

7 * Sec. 6. AS 23.30 is amended by adding a new section to read:

8 Sec. 23.30.238. MEMBERS OF THE NATIONAL GUARD AND NAVAL MILITIA.
9 A member of the Alaska National Guard or Alaska Naval Militia while on
10 active duty for the state and lawfully performing his duties is an
11 employee of the state for the purposes of this chapter. Weekly compen-
12 sation for disability or death under this section may not be less than
13 the initial payment of compensation under AS 23.30.175.

14 * Sec. 7. AS 26.05 is amended by adding new sections to read:

15 Sec. 26.05.165. NATIONAL GUARD ADVISORY BOARD. There is estab-
16 lished the National Guard Advisory Board, whose members are appointed
17 by the governor and serve at his pleasure. The National Guard Advisory
18 Board is composed of

19 (1) an employee of the Department of Military Affairs who is
20 a member of the Alaska National Guard or Alaska Naval Militia;

21 (2) an officer in the Alaska Army National Guard, not em-
22 ployed by the Department of Military Affairs;

23 (3) an enlisted person in the Alaska Army National Guard,
24 not employed by the Department of Military Affairs;

25 (4) an officer in the Alaska Air National Guard, not employed
26 by the Department of Military Affairs;

27 (5) an enlisted person in the Alaska Air National Guard, not
28 employed by the Department of Military Affairs;

29 (6) two public members.

1 Sec. 26.05.166. TERM OF OFFICE. Members of the National Guard
2 Advisory Board shall be appointed for overlapping terms of three years.
3 A person appointed to fill a vacancy on the National Guard Advisory
4 Board shall serve for the remainder of the unexpired term.

5 Sec. 26.05.167. QUORUM. A majority of the membership of the
6 National Guard Advisory Board constitutes a quorum to transact the
7 business of the board, but a majority of the members of the board must
8 approve the list of persons recommended for appointment to the office
9 of the adjutant general under AS 26.05.160(a).

10 Sec. 26.05.168. TRANSPORTATION AND PER DIEM. Members of the
11 National Guard Advisory Board receive no compensation for their service
12 on the board but are entitled to the travel expenses and per diem pro-
13 vided in AS 39.20.180 when necessary to attend meetings of the board.

14 Sec. 26.05.169. DUTIES. The National Guard Advisory Board shall
15 recommend to the governor and to the adjutant general of the state
16 legislation that will enhance the recruitment, retention, and retire-
17 ment programs for the Alaska National Guard and Alaska Naval Militia.

18 * Sec. 8. AS 26.05.222 is amended to read:

19 Sec. 26.05.222. CREATION AND ADMINISTRATION OF ALASKA NATIONAL
20 GUARD AND ALASKA NAVAL MILITIA RETIREMENT SYSTEM. (a) There is estab-
21 lished an Alaska National Guard and Alaska Naval Militia retirement
22 system. The commissioner of administration shall administer the Alaska
23 National Guard and Alaska Naval Militia retirement system.

24 (b) The commissioner of administration may adopt regulations to
25 implement the Alaska National Guard and Alaska Naval Militia retirement
26 system. Regulations adopted by the commissioner under this subsection
27 relate to the internal management of state agencies and their adoption
28 is not subject to the Administrative Procedure Act (AS 44.62).

29 * Sec. 9. AS 26.05.223 is amended to read:

1 Sec. 26.05.223. COMMENCEMENT OF PARTICIPATION IN SYSTEM. A
2 member of the Alaska National Guard or Alaska Naval Militia shall be
3 included in this system upon commencement of membership in the Alaska
4 National Guard or Alaska Naval Militia [, OR ON JANUARY 1, 1973, WHICH-
5 EVER IS LATER, OR UPON COMMENCEMENT OF MEMBERSHIP IN THE ALASKA NAVAL
6 MILITIA OR ON JULY 1, 1980, WHICHEVER IS LATER].

7 * Sec. 10. AS 26.05.224(a)(1) is amended to read:

8 (1) upon voluntary retirement from the Alaska National Guard
9 or Alaska Naval Militia after a total of 20 years or more of satisfac-
10 tory service in the Alaska National Guard, Alaska Naval Militia, or
11 active military service in the armed forces of the United States, and
12 the reserves of them, or any combination of service in these components
13 [IF AT LEAST FIVE YEARS OF THE SERVICE IS IN THE ALASKA NATIONAL GUARD
14 OR ALASKA NAVAL MILITIA]; or

15 * Sec. 11. AS 26.05.224(b) is amended to read:

16 (b) The retirement pension is the same amount of money that is
17 payable monthly under the Alaska longevity bonus program (AS 47.45.010).
18 The retirement pension shall be paid [\$100 A MONTH PAYABLE] for the
19 total [SAME] number of months that the member participated satisfac-
20 torily in the Alaska National Guard or Alaska Naval Militia.

21 * Sec. 12. AS 26.05.224(c) is amended to read:

22 (c) An eligible member or former member may elect to receive his
23 retirement pension beginning on the first day of the month in which he
24 becomes eligible for retirement, or the member or former member may
25 elect to defer payment to a later date. Payment of a deferred retire-
26 ment benefit may not begin until application for the benefit is filed
27 with and approved by the Department of Military Affairs. [DEFERRED
28 RETIREMENT PAYMENTS MUST BE MADE MONTHLY AT THE RATE OF \$100.]

29 * Sec. 13. AS 26.05.226(a) is amended to read:

1 (a) The Department of Military Affairs shall contribute to the
2 Alaska National Guard and Alaska Naval Militia retirement system the
3 amounts determined by the commissioner of administration as necessary
4 to

5 (1) fund the system based on the actuarial requirements of
6 the system as established by the commissioner of administration; and

7 (2) administer the system.

8 * Sec. 14. AS 26.05.227(3) is amended to read:

9 (3) "system" means the Alaska National Guard and Alaska
10 Naval Militia retirement system.

11 * Sec. 15. AS 26.05.260(c) is amended to read:

12 (c) A member [ENLISTED PERSONS] of the Alaska [ARMY NATIONAL
13 GUARD, AIR] National Guard or Alaska [AND] Naval Militia shall receive
14 for each day of active service for the state, under orders of the
15 governor, pay and allowances equal to those provided by federal laws
16 and regulations for members [ENLISTED PERSONS] of like grades of the
17 United States Army, United States Air Force and United States Navy,
18 plus compensation equal to the per diem allowance payable to a state
19 officer or employee at the location where the service is performed.

20 [HOWEVER, NO ENLISTED PERSON SHALL RECEIVE PAY AND ALLOWANCES OF LESS
21 THAN \$6 A DAY.]

22 * Sec. 16. AS 26.05.260 is amended by adding new subsections to read:

23 (h) A member of the Alaska National Guard or Alaska Naval Militia
24 who is injured or disabled while on active duty for the state and while
25 lawfully performing his duties, including transit to and from his home
26 of record, is entitled to the compensation and benefits available under
27 the Alaska Workers' Compensation Act (AS 23.30) for the injury or dis-
28 ability.

29 (i) If a member of the Alaska National Guard or Alaska Naval

1 Militia dies as a result of an injury or disability received while on
2 active duty for the state and while lawfully performing his duties,
3 including transit to and from his home of record, his designated bene-
4 ficiaries are entitled to receive death benefits allowed beneficiaries
5 under the Alaska Workers' Compensation Act (AS 23.30). In addition,
6 the Department of Military Affairs shall send to the beneficiaries,
7 within 15 days of receipt by the department of notice of the member's
8 death, a payment equal to six times the deceased member's monthly
9 salary as designated in (c) of this section, including special and
10 incentive pay, applicable on the date of the member's death. This
11 additional payment will be made only if (1) the death occurs on or
12 before the 120th day after the member's release from active duty
13 ordered by the governor, and (2) a state surgeon in the Alaska National
14 Guard or Alaska Naval Militia determines that the member's death
15 resulted from an injury or disability received during that active duty
16 period. The Department of Military Affairs shall also pay to the
17 designated beneficiaries the pay and allowances accrued but unpaid to
18 the member at the time of death within 15 days after the date of notice
19 of his death is received by the department. Persons are considered to
20 be designated beneficiaries when they are designated as beneficiaries
21 in a member's military personnel record file. If a member does not
22 designate a beneficiary, beneficiaries under this subsection shall be
23 determined in accordance with the Alaska Workers' Compensation Act
24 (AS 23.30).

25 * Sec. 17. AS 26.05.265 is amended to read:

26 Sec. 26.05.265. REENLISTMENT BONUS. (a) A bonus shall be paid
27 to an enlisted [A] person who, at the time his enlistment is completed,
28 reenlists or extends an enlistment in the Alaska National Guard or the
29 Alaska Naval Militia for six years. The bonus is \$3,000 payable in the

1 amount of \$1,000 at the satisfactory completion of the second year of
2 reenlistment or extension, \$1,000 at the satisfactory completion of the
3 fourth year, and \$1,000 at the satisfactory completion of the sixth
4 year. [A SUM EQUAL TO 10 DAYS OF BASIC PAY FOR EACH YEAR HE REENLISTS
5 OR EXTENDS HIS ENLISTMENT, COMPUTED ACCORDING TO A MEMBER'S GRADE AT
6 THE END OF EACH QUALIFYING YEAR AND PAYABLE AT THAT TIME. PAYMENT OF A
7 BONUS IS CONTINGENT UPON THE MEMBER SATISFACTORILY PARTICIPATING IN
8 UNIT TRAINING ACTIVITIES FOR THE YEAR FOR WHICH PAYMENT IS TO BE MADE.]

9 (b) A person who has a break in service of more than 30 days for-
10 feits his eligibility for a reenlistment bonus.

11 * Sec. 18. AS 26.05.296(a) is amended to read:

12 (a) To the extent funds are available, the adjutant general shall
13 authorize the payment of not more than 75 [50] percent of the cost of
14 tuition, books, and required fees for each active and retired [MALE OR
15 FEMALE] member of the Alaska National Guard or the Alaska Naval Militia
16 who attends an educational, vocational, or technical training school in
17 Alaska. Payments authorized under this section continue so long as (1)
18 the active member participates satisfactorily in unit training activi-
19 ties or the retired member is on the retired member list; and (2) the
20 member pursues the course of study in a manner acceptable to the
21 school.

22 * Sec. 19. AS 26.05 is amended by adding a new section to read:

23 Sec. 26.05.297. ALASKA SENIOR RESERVE OFFICERS' TRAINING CORPS
24 SCHOLARSHIP PROGRAM. (a) There is established in the Department of
25 Military Affairs an Alaska Senior Reserve Officers' Training Corps
26 scholarship program.

27 (b) Persons meeting the eligibility requirements of (c) of this
28 section may receive a scholarship equal to the cost of resident tuition,
29 fees, and books at the University of Alaska for each semester to the

1 extent money is available.

2 (c) To be eligible for a scholarship, a person must

3 (1) be enrolled as a full-time student at the University of
4 Alaska and qualify for resident tuition status;

5 (2) be participating in the Senior Reserve Officers' Training
6 Corps program at the University of Alaska for that semester;

7 (3) be a member of the Alaska National Guard or Alaska Naval
8 Militia;

9 (4) maintain a satisfactory standard of academic achieve-
10 ments as prescribed by the adjutant general;

11 (5) meet all federal requirements for appointment as an
12 officer in the Alaska National Guard;

13 (6) agree in writing that he will accept an appointment, if
14 offered, as a commissioned officer in the Alaska National Guard or
15 Alaska Naval Militia and that he will serve in the Alaska National
16 Guard or Alaska Naval Militia for a period of time prescribed by the
17 adjutant general.

18 (d) A person receiving a scholarship under this section is incli-
19 gible for benefits under AS 26.05.295 or 26.05.296.

20 * Sec. 20. AS 39.35.340 is amended by adding a new subsection to read:

21 (1) An employee is not required to make contributions for credited
22 service under this section if the employee is a member or former member
23 of the Alaska National Guard, Alaska Naval Militia, or the Territorial
24 Guard, with a total period of credited service which equals or exceeds
25 20 years when added to the military service claimed.

26 * Sec. 21. AS 39.35 is amended by adding a new section to read:

27 Sec. 39.35.345. CREDIT FOR MEMBERSHIP IN THE ALASKA NATIONAL
28 GUARD AND ALASKA NAVAL MILITIA. (a) A vested member who is a member
29 of the Alaska National Guard or Alaska Naval Militia may receive

1 credited service under this system for all or any part of his credited
2 service under the Alaska National Guard and Alaska Naval Militia
3 retirement system (AS 26.05.222 - 26.05.227) by electing to forgo four
4 months of credited service under that retirement system for each month
5 of service credited under this system.

6 (b) A vested member who is a former member of the Alaska National
7 Guard or Alaska Naval Militia with at least six years credited service
8 under the Alaska National Guard and Alaska Naval Militia retirement
9 system (AS 26.05.222 - 26.05.227) may receive credited service under
10 (a) of this section. If the vested member has received retirement
11 pension benefits under the Alaska National Guard and Alaska Naval
12 Militia retirement system and wishes to claim credited service with
13 respect to months for which benefits have been paid, he is indebted to
14 this system in the amount of those benefits. Interest as prescribed by
15 regulation adopted by the administrator accrues on this indebtedness
16 beginning on the date the vested member received the first benefit for
17 which he is indebted to this system or July 1, 1980, whichever is
18 later. Any outstanding indebtedness which exists at the time a person
19 is appointed to retirement will necessitate an actuarial adjustment to
20 the benefits payable under this section.

21 (c) Except as provided in (b) of this section, an employee is not
22 required to make contributions for credited service allowed under this
23 section.

24 (d) The credited service allowed under this section may not
25 exceed an aggregate period of five years and may not be used to satisfy
26 the credited service requirements for normal or early retirement.

27 (e) An employee may not receive credited service under this sec-
28 tion if credit for membership in the Alaska National Guard or Alaska
29 Naval Militia was granted under AS 14.25.

1 (f) As used in this section, "credited service under the Alaska
2 National Guard and Alaska Naval Militia retirement system" means the
3 total number of months that a person included in that system was a
4 member of the Territorial Guard, Alaska National Guard, or Alaska Naval
5 Militia.

6 * Sec. 22. AS 26.05.260(b), (d), (e), (f), and (g) are repealed.

7 * Sec. 23. A person described in AS 14.25.100(f) added by sec. 3 of this
8 Act or in AS 39.35.340(i) added by sec. 20 of this Act who made contributions
9 for military service credit before the effective date of this Act is entitled
10 to a refund of those contributions.

11 * Sec. 24. The first appointees to the National Guard Advisory Board
12 established in AS 26.05.165 added by sec. 7 of this Act shall serve the
13 following terms: two for one-year terms; two for two-year terms; and three
14 for three-year terms.

15 * Sec. 25. A retired member or a deferred vested member on July 1, 1981,
16 is eligible for any increase in benefits resulting from the amendments to
17 AS 14.25 (teachers' retirement system) in secs. 1 - 5 of this Act.

18 * Sec. 26. A retired member or deferred vested member on July 1, 1981,
19 is eligible for any increase in benefits resulting from the amendments to
20 AS 39.35 (public employees' retirement system) in secs. 20 and 21 of this
21 Act.

22 * Sec. 27. A retired member of the Alaska National Guard or Alaska Naval
23 Militia on July 1, 1981, is eligible for any increase in the retirement
24 pension payable under AS 26.05.222 - 26.05.227 resulting from the amendments
25 to AS 26.05 (Alaska National Guard and Alaska Naval Militia retirement
26 system) in secs. 8 - 12 of this Act.

27 * Sec. 28. If a retired or former member eligible for a credit or refund
28 under secs. 4, 21, or 23 of this Act dies before June 30, 1981, his bene-
29 ficiary on July 1, 1981, shall receive those accrued benefits not received

1 by the deceased.

2 * Sec. 29. The amendments made to AS 26.05.265 in sec. 17 of this Act do
3 not apply to a person who was receiving state reenlistment bonus payments
4 under AS 26.05.265 for a reenlistment or extension approved before July 1,
5 1981.

6 * Sec. 30 This Act takes effect July 1, 1981.
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12-0045

Introduced: 3/25/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MILLER AND DUNCAN

2 HOUSE BILL NO. 388

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST 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 14.25.060(c) is amended to read:

11 (c) The total military service claimed may not exceed five years.
12 The total Alaska National Guard and Alaska Naval Militia service claimed
13 may not exceed five years. The combined total of outside, [AND] mili-
14 tary, and Alaska National Guard and Alaska Naval Militia service may
15 not exceed 10 years, except that, if entry into the armed forces is
16 immediately preceded by membership service and within one year after
17 discharge is continued by membership service, that service will not be
18 counted for purposes of determining the applicability of the 10-year
19 limitation on the combined total of outside, [AND] military, and Alaska
20 National Guard and Alaska Naval Militia service. The combined total of
21 outside, military, Alaska National Guard and Alaska Naval Militia, and
22 Alaska BIA service may not exceed 15 years.

23 * Sec. 2. AS 14.25.100(a) is amended to read:

24 (a) A member who served as an active member of the armed forces of
25 the United States may receive credited [CREDITABLE] service under this
26 system up to a maximum of five years. Each 12 months of military service
27 equals one school year, and lesser military periods will be determined
28 for credit purposes in a proportionate ratio to a year. To receive
29 credited [CREDITABLE] service under this section, the member must have

1 received a discharge other than dishonorable. Except as provided in (f)
2 of this section, credit [CREDIT] for service in the armed forces shall
3 be granted only if the member makes contributions for the service [IN
4 THE SAME MANNER AS REQUIRED FOR OUTSIDE SERVICE] under AS 14.25.060.
5 [THE MILITARY SERVICE CREDITED UNDER THIS SECTION SHALL BE INCLUDED IN
6 THE 10-YEAR LIMITATION OF OUTSIDE SERVICE AS SPECIFIED IN AS 14.25.060,
7 EXCEPT IF ENTRY INTO THE ARMED FORCES IS IMMEDIATELY PRECEDED BY ALASKA
8 MEMBERSHIP SERVICE AND FOLLOWING DISCHARGE IS CONTINUED BY ALASKA
9 MEMBERSHIP SERVICE WITHIN ONE YEAR THEREAFTER, SERVICE MAY NOT BE
10 COUNTED FOR PURPOSES OF DETERMINING THE APPLICABILITY OF THE 10-YEAR
11 LIMITATION ON OUTSIDE SERVICE.]

12 * Sec. 3. AS 14.25.100 is amended by adding a new subsection to read:

13 (f) Notwithstanding AS 14.25.060 and (a) of this section, a
14 member is not required to make contributions for credit for service in
15 the armed forces if the member is a member or former member of the
16 Alaska National Guard or Alaska Naval Militia, or a former member of
17 the Territorial Guard, and the military service claimed under this
18 section plus the Alaska National Guard, Alaska Naval Militia or Terri-
19 torial Guard service equals or exceeds 20 years.

20 * Sec. 4. AS 14.25 is amended by adding a new section to read:

21 Sec. 14.25.103. CREDIT FOR MEMBERSHIP IN THE ALASKA NATIONAL
22 GUARD AND ALASKA NAVAL MILITIA. (a) A member who is a member of the
23 Alaska National Guard or Alaska Naval Militia may receive credited
24 service under this system for all or a part of his credited service
25 under the Alaska National Guard and Alaska Naval Militia retirement
26 system (AS 26.05.222 - 26.05.227) by electing to forgo four months of
27 credited service under that retirement system for each month of service
28 credited under this system. Each 12 months of service credited under
29 this system equals one school year, and lesser periods will be deter-

1 mined for credit purposes in a proportionate ratio to a year.

2 (b) A member who is a former member of the Alaska National Guard
3 or Alaska Naval Militia with at least six years credited service under
4 the Alaska National Guard and Alaska Naval Militia retirement system
5 (AS 26.05.222 - 26.05.227) may receive credited service under (a) of
6 this section. If the member has received retirement benefits under the
7 Alaska National Guard and Alaska Naval Militia retirement system and
8 wishes to claim credited service with respect to the months for which
9 benefits have been paid, he is indebted to the retirement fund in the
10 amount of those benefits. Compound interest at the rate prescribed by
11 regulation adopted by the administrator shall be added to the arrearage
12 indebtedness beginning on the date the member received the first benefit
13 for which he is indebted to the retirement fund or July 1, 1980, which-
14 ever is later, and continuing to the date of payment from the
15 retirement fund or the date of retirement, whichever occurs first.

16 (c) Except as provided in (b) of this section, a member is not
17 required to make contributions for credited service allowed under this
18 section.

19 (d) The credited service allowed under this section may not
20 exceed an aggregate period of five years.

21 (e) A member may not receive credited service under this section
22 if credit for membership in the Alaska National Guard or Alaska Naval
23 Militia was granted under the public employees' retirement system
24 (AS 39.35).

25 (f) In this section, "credited service under the Alaska National
26 Guard and Alaska Naval Militia retirement system" means the total
27 number of months that a person included in that system was a member of
28 the Territorial Guard, Alaska National Guard, or Alaska Naval Militia.

29 * Sec. 5. AS 14.25.220(10) is amended to read:

1 (10) "credited service" means all membership service as pro-
2 vided in (20) of this section, plus outside, military, Alaska National
3 Guard, Alaska Naval Militia, Territorial Guard, and BIA service not
4 exceeding 15 years, with outside, Alaska National Guard, Alaska Naval
5 Militia, Territorial Guard, and military service limited to 10 years
6 except under the conditions set out in AS 14.25.100;

7 * Sec. 6. AS 23.30 is amended by adding a new section to read:

8 Sec. 23.30.238. MEMBERS OF THE NATIONAL GUARD AND NAVAL MILITIA.
9 A member of the Alaska National Guard or Alaska Naval Militia while on
10 active duty for the state and lawfully performing his duties is an
11 employee of the state for the purposes of this chapter. Weekly compen-
12 sation for disability or death under this section may not be less than
13 the initial payment of compensation under AS 23.30.175.

14 * Sec. 7. AS 26.05.160(a) is amended to read:

15 (a) The adjutant general of the state is appointed by the governor.
16 The governor shall prescribe the grade of the adjutant general which may
17 [SHALL] not exceed major general. The governor may appoint the adjutant
18 general from a list of not less than three eligible persons submitted by
19 the National Guard Advisory Board. To be eligible for appointment as
20 adjutant general, a person shall be a citizen of the state, be a member
21 of the Alaska National Guard with at least five years service, and hold
22 or have held a federally recognized field-grade commission. An adjutant
23 general who is appointed after December 1, 1982, before assuming his
24 duties, shall have completed the command and general staff course or its
25 equivalent and at least one additional course, either residential or
26 correspondence, at one of the war colleges operated by the United States
27 Department of Defense. However, if the person appointed adjutant gen-
28 eral after December 1, 1982, was a field grade officer of the Alaska
29 National Guard or Alaska Naval Militia before July 1, 1980, war college