SENATE CS FOR CS FOR HOUSE BILL NO. 167(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/7/06
Referred: Finance

Sponsor(s): HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

A BILL

FOR AN ACT ENTITLED

"An Act relating to providing a death certificate for a deceased veteran without cost; relating to a program to honor the memory of a deceased veteran; and providing for an effective date."

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

* Section 1. AS 18.50.320 is amended to read:

Sec. 18.50.320. Copies of data from vital records. Except as otherwise provided and in accordance with the regulations adopted under AS 18.50.310,

(1) the bureau and the custodian of permanent local records shall, upon request, issue a certified copy of a certificate or record in their custody, or a part of it; each copy issued must show the date of registration or recording, and copies issued from records marked "delayed," "amended," or "court order" shall be similarly marked and must show the effective date;

(2) a certified copy of a certificate or a part of it issued in accordance with (1) of this section is considered the original for all purposes and is prima facie
evidence of the facts stated; **however**, [PROVIDED THAT] the evidentiary value of a certificate or record filed more than one year after the event, or a record that has been amended, or a presumptive death certificate, shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence;

(3) the National Office of Vital Statistics may be furnished the copies or data it requires for national statistics if the bureau is reimbursed for the cost of furnishing the data; the National Office of Vital Statistics may not use the data for purposes other than statistical purposes unless authorized by the state registrar;

(4) federal, state, local, and other public or private agencies, upon request, may be furnished copies or data for statistical purposes on the terms or conditions prescribed by the bureau;

(5) a person or agency may not prepare or issue a certificate or part of a certificate that purports to be an original, certified copy, or copy of a certificate of birth, death, fetal death, or marriage, except as authorized in this chapter or the regulations adopted under it;

(6) upon request, the bureau shall furnish a copy of a certificate or record registered by the bureau to the child support services agency created in AS 25.27.010, or the child support enforcement agency of another state, for child support purposes authorized under law; such a certificate or record that is prepared or maintained in an electronic data base may be supplied by providing the requesting agency with a copy of the electronic certificate or record and a statement certifying its contents;

(7) upon request and without cost to the individual making the request, the bureau shall issue one certified copy of the death certificate of a veteran to an eligible recipient for the purpose of satisfying an eligibility requirement for a benefit related to the death of the veteran; in this paragraph, "eligible recipient" and "veteran" have the meanings given in AS 26.10.085.

* Sec. 2. AS 26.10 is amended by adding a new section to read:

**Sec. 26.10.085. Governor's memorial certificate program.** (a) Upon request of the governor, the adjutant general of the Department of Military and Veterans' Affairs may conduct a program for honoring the memory of a deceased veteran by
preparing and sending to an eligible recipient a certificate bearing the signature of the governor and expressing the state's grateful recognition of the veteran's service. The award of a certificate to one eligible recipient does not preclude authorization of another certificate if a request is received from another eligible recipient.

(b) The Department of Military and Veterans' Affairs shall determine the form and content of the certificate and may adopt regulations necessary to administer the program.

(c) In this section,

(1) "eligible recipient" means the veteran's surviving spouse, or next of kin, or relative of the deceased veteran, the deceased veteran's heir or devisee, and the administrator, executor, personal representative, foreign personal representative, beneficiary, conservator, fiduciary, special administrator, successor personal administrator, or trustee of the deceased veteran's estate;

(2) "veteran" means an individual who

(A) is on active duty or has received an honorable or general discharge from a branch of the armed services of the United States, the Alaska Scouts, the Alaska Territorial Guard, the Alaska Army National Guard, the Alaska Air National Guard, the Alaska Naval Militia, the United States Coast Guard, or a reserve unit of the United States armed forces or United States Coast Guard in Alaska; and

(B) was a resident of Alaska at the time of the individual's death.

* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).