

CS FOR SENATE BILL NO. 33(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 1/28/11

Referred: Judiciary

Sponsor(s): SENATORS WIELECHOWSKI, PASKVAN, AND COGHILL, Menard, Meyer, Dyson, Olson, McGuire, Giessel, French, Huggins, Davis, Ellis, Egan, Stevens, Wagoner, Kookesh, Thomas, Stedman

REPRESENTATIVES Kawasaki, Petersen

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the disposition of remains of a member of the armed forces if the**
2 **member dies while in a duty status."**

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

4 * **Section 1.** AS 26.05 is amended by adding a new section to read:

5 **Sec. 26.05.262. Disposition of remains of members of organized militia on**
6 **duty status under Military Record of Emergency Data Form (DD Form 93).** If a
7 member of the organized militia who is in active state service has executed the United
8 States Department of Defense Military Record of Emergency Data Form (DD Form
9 93), or its successor form, to serve as a record of emergency data and, on that form,
10 has designated a person who is authorized to direct the disposition of the member's
11 remains if the member dies while in a duty status as described in 10 U.S.C. 1481,
12 notwithstanding any other provision of law, the person authorized to direct the
13 disposition of remains on the executed form has the right to make the decisions
14 concerning the disposition of the member's remains.

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

2 **Sec. 26.10.065. Disposition of remains of state resident armed forces**
3 **personnel on duty status.** (a) Except as provided in (b) of this section, if a state
4 resident who is a member of the armed forces has executed the United States
5 Department of Defense Military Record of Emergency Data Form (DD Form 93), or
6 its successor form, to serve as a record of emergency data and, on that form, has
7 designated a person who is authorized to direct the disposition of the member's
8 remains if the member dies while in a duty status as described in 10 U.S.C. 1481,
9 notwithstanding any other provision of law, the person authorized to direct the
10 disposition of remains on the executed form has the right to make the decisions
11 concerning the disposition of the member's remains.

12 (b) If a state resident who is a member of the United States Coast Guard has
13 executed the United States Coast Guard Designation of Beneficiaries and Record of
14 Emergency Data Form (CG-2020D), or its successor form, to serve as a record of
15 emergency data and, on that form, has designated a person who is authorized to direct
16 the disposition of the member's remains if the member dies while in a duty status as
17 described in 10 U.S.C. 1481, notwithstanding any other provision of law, the person
18 authorized to direct the disposition of remains on the executed form has the right to
19 make the decisions concerning the disposition of the member's remains.