

HOUSE BILL NO. 45

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GUTTENBERG AND DOLL, Lynn

Introduced: 1/16/07

Referred: House Special Committee on Military and Veterans' Affairs, State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act authorizing the Department of Military and Veterans' Affairs to establish and**
2 **maintain Alaska veterans' cemeteries; and establishing the Alaska veterans' cemetery**
3 **fund in the general fund."**

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

5 * **Section 1.** AS 28.10.421(d)(16) is amended to read:

6 (16) special request plates commemorating Alaska veterans \$100
7 plus a fee of \$35 and the fee required for that vehicle under (b), (c), (h), or (i) of this
8 section; the \$100 fee required by this paragraph shall be collected only on the first
9 issuance of and the replacement of the commemorative veterans' plates; the \$35 fee
10 required by this paragraph shall be collected biennially in the same manner as the fee
11 required under (b), (c), (h), or (i) of this section; the commissioner of administration
12 shall separately account for the fees received under this paragraph that the department
13 deposits in the general fund; notwithstanding (g) of this section, the annual estimated
14 balance in the account that is in excess of the cost of issuing special request plates may

1 be appropriated by the legislature to the Alaska veterans' cemetery fund created
2 under AS 37.05.590 and for the support of programs benefiting Alaska veterans.

3 * **Sec. 2.** AS 37.05 is amended by adding a new section to article 6 to read:

4 **Sec. 37.05.590. Alaska veterans' cemetery fund.** (a) There is created as a
5 special account in the general fund the Alaska veterans' cemetery fund into which
6 shall be deposited appropriations to the Alaska veterans' cemetery fund.

7 (b) Beginning with the appropriations for the fiscal year beginning July 1,
8 2007, on an annual basis and under AS 37.07 (Executive Budget Act), the legislature
9 may appropriate amounts from the Alaska veterans' cemetery fund to the Department
10 of Military and Veterans' Affairs for the construction, operation, and maintenance of
11 the Alaska veterans' cemeteries established under AS 44.35.035.

12 (c) Appropriations to the Alaska veterans' cemetery fund are not one-year
13 appropriations and do not lapse under AS 37.25.010.

14 (d) The unexpended and unobligated balance of an appropriation from the
15 Alaska veterans' cemetery fund lapses into the Alaska veterans' cemetery fund at the
16 end of the fiscal year for which it was appropriated.

17 (e) Nothing in this section exempts money deposited into the Alaska veterans'
18 cemetery fund from the requirements of AS 37.07 (Executive Budget Act) or dedicates
19 that money for a specific purpose.

20 * **Sec. 3.** AS 44.35 is amended by adding a new section to read:

21 **Sec. 44.35.035. Alaska veterans' cemeteries.** (a) The department may
22 establish and maintain Alaska veterans' cemeteries in the state to serve state veterans
23 and spouses and eligible dependents of state veterans.

24 (b) The department may accept gifts, donations, and grants, including land,
25 under AS 26.10.030 for the purpose of establishing and maintaining Alaska veterans'
26 cemeteries. Land received by the department for an Alaska veterans' cemetery shall be
27 owned by the state.

28 (c) The department shall, in consultation with the Alaska Veterans' Advisory
29 Council,

30 (1) adopt regulations for determining individuals eligible for burial in
31 an Alaska veterans' cemetery;

1 (2) receive the plot or interment allowance on behalf of the state under
2 38 U.S.C. 2303;

3 (3) comply with all requirements for a state veterans' cemetery grant
4 established by the United States Department of Veterans Affairs under 38 U.S.C.
5 2408; and

6 (4) apply to the United States Department of Veterans Affairs for state
7 veterans' cemetery grants under 38 U.S.C. 2408.

8 (d) The department may

9 (1) adopt regulations necessary to administer Alaska veterans'
10 cemeteries;

11 (2) enter into agreements for the maintenance and operation of Alaska
12 veterans' cemeteries with political subdivisions of the state and other persons; and

13 (3) solicit gifts, donations, and grants in addition to a state veterans'
14 cemetery grant in (c) of this section that may be designated for the establishment and
15 maintenance of an Alaska veterans' cemetery and received by the department under
16 AS 26.10.030.

17 (e) In this section, "department" means the Department of Military and
18 Veterans' Affairs.