

HOUSE BILL NO. 99

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 1/28/09

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

A BILL

FOR AN ACT ENTITLED

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

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

5 * **Section 1.** AS 18.50.320 is amended to read:

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

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

13 (2) a certified copy of a certificate or a part of it issued in accordance
14 with (1) of this section is considered the original for all purposes and is prima facie

1 evidence of the facts stated; **however**, [PROVIDED THAT] the evidentiary value of a
 2 certificate or record filed more than one year after the event, or a record that has been
 3 amended, or a presumptive death certificate, shall be determined by the judicial or
 4 administrative body or official before whom the certificate is offered as evidence;

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

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

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

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

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

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

29 **Sec. 26.10.085. Governor's memorial certificate program.** (a) Upon request
 30 of the governor, the adjutant general of the Department of Military and Veterans'
 31 Affairs may conduct a program for honoring the memory of a deceased veteran by

1 preparing and sending to an eligible recipient a certificate bearing the signature of the
2 governor and expressing the state's grateful recognition of the veteran's service. The
3 award of a certificate to one eligible recipient does not preclude authorization of
4 another certificate if a request is received from another eligible recipient.

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

8 (c) In this section,

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

14 (2) "veteran" means an individual who was

15 (A) on active duty at the time of the veteran's death or had
16 received an honorable or general discharge from a branch of the armed
17 services of the United States, the Alaska Scouts, the Alaska Territorial Guard,
18 the Alaska Army National Guard, the Alaska Air National Guard, the Alaska
19 Naval Militia, the United States Coast Guard, or a reserve unit of the United
20 States armed forces or United States Coast Guard in Alaska; and

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

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