

***HB***

**385**

HOUSE COMMITTEE ON STATE AFFAIRS

RECAP OF  
HB 385

Veterans' Burial Allowance Eligibility

Received January 8, 1990  
by Reps. Hudson, Gruenberg

Heard February 6, 1990

Adopted CSHB 385 (SA) February 6, 1990

Passed Out of Committee February 6, 1990  
5 Do Pass

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CSHB 385 (SA)
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# HOUSE COMMITTEE REPORT

(7)

Date Referred: January 8, 1990

FURTHER REFERRALS: FINANCE

Date of Committee Action: \_\_\_\_\_

The STATE AFFAIRS Committee considered:

HB 385

HOUSE BILL NO. 385

VETERANS' BURIAL ALLOWANCE ELIGIBILITY

"An Act relating to eligibility for veterans' burial allowance."

RECOMMENDATIONS:

- be replaced with CS HB 385 (SA)  the same title
- have attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(s):  
(Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Date/Dept)

- fiscal impact \_\_\_\_\_
- zero fiscal note \_\_\_\_\_
- zero with analysis DMVA

- fiscal note(s) \_\_\_\_\_
- zero fiscal note(s) \_\_\_\_\_
- zero fn/analysis \_\_\_\_\_

SIGNING DO PASS:

SIGNING:  
(Check approp. column)

Do Not  
Pass No Rec Amend

*[Handwritten Signatures]*

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

	Do Not Pass	No Rec	Amend

*[Handwritten Signature]*

\_\_\_\_\_

Chairman's Signature

BY REP. HUDSON

CS -

1 IN THE HOUSE

2

HOUSE BILL NO. 385

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to eligibility for veterans' <sup>death</sup> burial

7

allowance." *quoth!*

8

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

9

\* Section 1. AS 26.10.080(a) is amended to read:

10

(a) The Department of Military and Veterans' Affairs shall pay,

11

upon application, a death gratuity in the amount of \$750 to the sur-

12

living spouse of a qualified veteran [WHOSE BURIAL IN THE STATE OCCURS

13

ON OR AFTER MAY 13, 1984, AND] who was a resident of the state at the

14

time of death. If the veteran has no surviving spouse, the gratuity

15

shall be paid to the personal representative of the veteran. A veter-

16

an is qualified under this subsection if the veteran's burial occurred

17

(1) in the state on or after May 13, 1984; or

18

(2) elsewhere on or after the effective date of this Act.

*Fed Benefitor - Not a burial allowance*

Original sponsor(s): REP. HUDSON, Gruenberg

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 385 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to eligibility for veterans' death  
7 gratuities."

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

9 \* Section 1. AS 26.10.080(a) is amended to read:

10 (a) The Department of Military and Veterans' Affairs shall pay,  
11 upon application, a death gratuity in the amount of \$750 to the sur-  
12 viving spouse of a qualified veteran [WHOSE BURIAL IN THE STATE OCCURS  
13 ON OR AFTER MAY 13, 1984, AND] who was a resident of the state at the  
14 time of death. If the veteran has no surviving spouse, the gratuity  
15 shall be paid to the personal representative of the veteran. A veter-  
16 an is qualified under this subsection if the veteran's burial occurred

17 (1) in the state on or after May 13, 1984; or

18 (2) elsewhere on or after the effective date of this Act.

Item 2

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION : HB 385  
PUBLISH DATE : \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: February 5, 1990  
Title An Act relating to eligibility  
for veterans burial allowance.  
Sponsor: Rep. Hudson  
Requestor: House State Affairs

Agency Affected: DMVA  
BRU: Veterans Affairs  
Components: Death Gratuity

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The additional death gratuities paid to survivors of the additional qualified veterans created by this bill are projected to be negligible based on past experience. This negligible increase in death gratuities will be absorbed within the existing budget for this component.

Prepared by Jeff Morrison, Director  
Division: Administrative & Support Services, DMVA

Phone 465-4600  
Date 2/05/90

Approved by for MG John Schaeffer  
Agency: Department of Military & Veterans Affairs

Date 2/05/90

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)

# Alaska State Legislature



REPRESENTATIVE BILL HUDSON

P.O. BOX V  
Juneau, Alaska  
99811  
(907)465-3744 or 4991

COMMITTEES:

Transportation  
Resources  
Foreign Trade

FINANCE SUBCOMMITTEES

DOT/PF  
C & RA

January 9, 1990

RECEIVED

JAN 11 1990

Representative H. A. Boucher,  
Chairman  
House State Affairs Committee  
Alaska State Legislature  
Juneau, Alaska

Dear Representative Boucher:

HB 385, relating to eligibility for veterans' burial allowance, was referred to the House State Affairs Committee.

Several veterans have approached me with the request that the legislature eliminate the requirement that burial be in the state for a surviving spouse to receive the \$750 allowance.

I have introduced the legislation because I believe the intent of the allowance is to provide relief to the family and to honor Alaskan veterans, not necessarily to assure their interment in Alaska.

In the enclosed letter from John W. Schaeffer, Major General Alaska National Guard, The Adjutant General, he predicts this legislation will have very little fiscal impact.

For your convenient reference, I have also enclosed a copy of the bill and a copy of the statute.

Your scheduling HB 385 for an early hearing in the House State Affairs Committee will be very much appreciated.

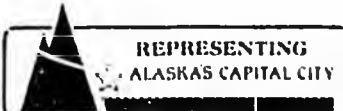
If you or your staff require further information, please call me or Landa Holtan at 3744 or 4919.

Respectfully,

*Bill*  
Bill Hudson

BH:lk

Enclosures



# STATE OF ALASKA

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

OFFICE OF THE ADJUTANT GENERAL

STEVE COWPER, GOVERNOR

FRONTIER BUILDING  
SUITE 620  
3601 C STREET  
ANCHORAGE, ALASKA 99503 5989  
PHONE 1907 243 0656  
AUTOVON 626 1444  
(907) 249-1565

August 4, 1989

The Honorable Bill Hudson  
P.O. Box V  
Juneau, AK 99811-0101

Dear Representative Hudson,

Thank you for your letter of July 7th concerning an amendment to AS 26.10.080, the Death Gratuity Program.

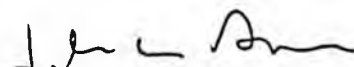
In FY88 we paid 304 claims for a total of \$228,000. In FY89 the number was 360 for an expenditure of \$270,000. According to our records, there has been only one claim last year denied because the survivors planned an out of state burial. The statute is pretty clear on that issue and most applicants/survivors appear to know the requirements before submitting their claim. It's hard to predict what sort of fiscal impact your amendment would have, but I anticipate not too great.

The biggest problem with the Death Gratuity Program is that people in rural Alaska are not making claims. According to our recent analysis, out of 304 applications in 1988, only twelve were received from the areas of the North Slope Borough, Northwest Arctic Borough, Bering Straits, Western Alaska, Bristol Bay and the Aleutian Chain.

We're taking steps in the Division of Veterans Affairs to improve our outreach/information program in hopes of striking a better balance of applicants. I expect the outreach effort will have a noticeable impact.

If I can be of further assistance, please let me know.

Sincerely,

  
John W. Schaeffer  
Major General  
Alaska National Guard  
The Adjutant General

JWS/hah



# Alaska State Legislature

REPRESENTATIVE BILL HUDSON

P.O. BOX V  
Juneau, Alaska  
99811  
(907)465-3744 or 4991

COMMITTEES:

Transportation  
Resources  
Foreign Trade

FINANCE SUBCOMMITTEES  
DOT/PF  
C & RA

July 7, 1989

Major General John W. Schaeffer  
The Adjutant General  
Commissioner  
Department of Military and  
Veteran Affairs  
3601 "C" Street, Suite 620  
Anchorage, AK 99503-5989

Dear General Schaeffer: *John*

I am considering an amendment to AS 26.10.080 Death Gratuity and would like your professional opinion prior to filing.

Specifically John, I have been approached by several veterans asking that we eliminate the requirement that burial be in the state for a surviving spouse to receive the \$750 allowance.

This seems reasonable because the original purpose of the allowance was to provide some relief to next of kin and was to honor veterans.

Before I file this change, I would appreciate your analysis of its effect. For example how many claims are paid annually and how many are turned down because the deceased was not buried in Alaska?

Your candid opinion will also be appreciated.

Respectfully,

*Bill*  
Bill Hudson

BH/klc



JAN 17 '90 14:41

P.1/1



VETERANS OF FOREIGN WARS OF THE U.S.  
DEPARTMENT OF ALASKA  
P.O. Box 102320  
Anchorage, Alaska 99510

Telephone 907-276-8213

January 17, 1990

Mr. Oliver  
Oliver's Trophies  
P.O. Box 2405  
Juneau, Ak 99803-2495

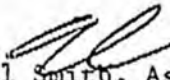
Dear Mr. Oliver:

We have reviewed the two bills you have sent us and locally we generally approve of the two issues. HB 385 removes the penalty of a widow who decides to bury her veteran husband "back home" where he grew up and where the widow now may be forced to move (in with children, etc.,) It's a good bill.

HB 382 removes the penalty for "wintering outside" for our older citizens who have great difficulty with the cold and who do not have sufficient money to return promptly within 90 days. Let's be fair and pass it.

Thanks for keeping us informed. We appreciate your interest and helpfulness.

Sincerely,

  
Al Smith, Asst Service Officer  
Authorized Respondent

P.S.

Best wishes from all of us.  


Sec. 26.05.280. Transportation, subsistence, and supplies.

Editor's notes. — Because of the amendment of this section by § 26, ch. 106, SLA 1986 by § 27, ch. 65, SLA 1987, the 1986 amendment of this section by § 26, ch. 106, SLA 1986 is effective January 1, 1988.

Chapter 10. Veterans.

Article

2. Miscellaneous Provisions (§ 26.10.080)

Article 2. Miscellaneous Provisions.

Section

80. Death gratuity

Sec. 26.10.080. Death gratuity. (a) The Department of Military and Veterans' Affairs shall pay, upon application, a death gratuity in the amount of \$750 to the surviving spouse of a veteran whose burial in the state occurs on or after May 13, 1984, and who was a resident of the state at the time of death. If the veteran has no surviving spouse, the gratuity shall be paid to the personal representative of the veteran.

(b) A death gratuity may be paid for a veteran otherwise eligible under (a) of this section even if the veteran died while temporarily absent from the state.

(c) The Department of Military and Veterans' Affairs may not pay a death gratuity unless the veteran for whom payment is made received an honorable discharge or a general discharge under honorable conditions.

(d) In this section

(1) "personal representative" includes administrator, executor, special administrator, successor personal representative, and persons who perform substantially the same function under the law governing their status;

(2) "veteran" means

(A) a person who served in a branch of the armed services of the United States

(i) who at the time of entry into the service was a resident of the territory or state, who had been a resident for not less than one year immediately before entry into the service, and who returned to the territory or state within one year after discharge as a resident with the intention of remaining in the territory or state; or

(ii) who was a resident of the state for not less than one year immediately preceding the time of death; or

(B) a person who served in the Alaska Territorial Guard, the Alaska Army National Guard, the Alaska Air National Guard, or the Alaska Naval Militia, or who served in a reserve unit of the United

States armed forces in Alaska if the reserve unit required a minimum of one weekend of duty each month and 15 consecutive days of active duty training each year for not less than three years. (§ 1 ch 98 SLA 1982; am § 14 ch 67 SLA 1983; am § 1 ch 7 SLA 1984; am E.O. No. 58, § 12 (1984); am § 1 ch 16 SLA 1985)

**Editor's notes.** — This section is set out above to correct a minor error in item (d)(2)(ii) in the main pamphlet.

## Chapter 15. Veterans Loans.

### Section

40. Veterans' loans

60. [Repealed]

**Sec. 26.15.040. Veterans' loans.** (a) The commissioner of commerce and economic development may, under regulations and policies, make the following loans:

(1) Personal loans may be made for educational, domestic, remote area family housing and other personal purposes, not exceeding \$10,000. The loans shall be secured by acceptable collateral when available but if not available the commissioner may make loans on the basis of good character. The rate of interest may not exceed nine and one-half per cent a year on the unpaid balance.

(2) [Repealed, § 77 ch 106 SLA 1980.]

(3) Business loans not exceeding \$125,000 may be made to acquire, finance or refinance or equip businesses, including mining and fishing but not including farming, if the loan applicant has had three or more years of general business experience. The loans shall be secured by acceptable collateral and may not exceed 75 per cent of the appraised value of the collateral offered as security. The rate of interest may not exceed nine and one-half per cent a year on the unpaid balance.

(4) Multiple dwelling loans not exceeding \$110,000 may be made to purchase, remodel, repair, build, furnish, refinance or equip multiple dwellings. The loans shall be secured by acceptable collateral and may not exceed 75 per cent of the appraised value of the collateral offered as security. The rate of interest may not exceed nine and one-half per cent a year on the unpaid balance.

(b) The commissioner of commerce and economic development may enter into agreements with private banks, other lending institutions and individuals for the purpose of guaranteeing loans made to qualified applicants. The guarantees may not exceed 90 per cent of the amount loaned and the loans shall be secured in the same manner provided for direct loans under this section. A loan made under this subsection and guaranteed by the commissioner of commerce and economic development and the state shall bear an interest rate not exceeding nine and one-half per cent a year on the unpaid balance.