

H B

385

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER CS HB 385

SPONSOR Hudson

BILL TITLE Vet. Death Gratuities

DATE REFERRED 3.8.90

HEARING SCHEDULED 3.26.90

FISCAL NOTE PREPARED ✓

SPONSOR CONTACTED Llanda - 3744

INTERESTED PARTIES CONTACTED

Susie -

Fri - 1:45 pm.

Please call Llanda - 3744 -

re: HB 385. Need to change

hearing. C.S.

J

OTHER

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER CS HB 385

SPONSOR Hudson

BILL TITLE Vet's Death Gratuity

DATE REFERRED 3-8-90

HEARING SCHEDULED

FISCAL NOTE PREPARED

SPONSOR CONTACTED

INTERESTED PARTIES CONTACTED

✓ Joe Murdy - 279-1990 - Disabled Amer. Vet's

OTHER

CS HB 385, relating to eligibility for veteran's death gratuities.

TELECONFERENCE

ATTENTION; Rep. Hudson has a proposed CS to present to committee which addresses the DMVA concern that the word "burial" would negate the gratuity for cremations.

TO TESTIFY;

Representative Bill Hudson
Jeff Morrision: DMVA, in support.

NOTES: VFW supports

Original sponsor(s): REP. HUDSON, Gruenberg, Boucher

1 IN THE HOUSE

2 SENATE CS FOR CS FOR 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' 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

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

18 or

19 (2) death occurred on or after the effective date of this

20 Act.

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." *Title was changed in CS from "burial allowance"*

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 ^{burial occurred} (1) in the state on or after May 13, 1984; or
18 ^{death occurred} (2) elsewhere on or after the effective date of this Act.

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 Commissioner: 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)

FISCAL NOTE

REQUEST:

Revision Date: February 5, 1990
 Title An Act relating to eligibility
for veterans burial allowance.
 Sponsor: Rep. Hudson
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Agency Affected: DMVA
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 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

Phone 465-4600

Division: Administrative & Support Services, DMVA

Date 2/05/90

Approved by Commissioner: for MG John Schaeffer

Date 2/05/90

Agency: Department of Military & Veterans Affairs

Distribution (by preparer) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Original sponsor(s): REP. HUDSON, Gruenberg, Boucher

IN THE HOUSE

SENATE CS FOR CS FOR HOUSE BILL NO. 385 ()

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - SECOND SESSION

A BILL

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

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

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

(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 qualified 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. A veteran is qualified under this subsection if the veteran's

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

or

(2) death occurred on or after the effective date of this

Act.

SENATE COMMITTEE REPORT

DATE: 3/8/90

FURTHER: Finance

DATE TURNED INTO OFFICE: _____

State Affairs

Committee considered

CSHB 385 (SA)

"An Act relating to eligibility for veterans' death gratuities."

and recommended:

[] replace with S CS CS HR 385
[] or adopt _____ CS _____

same title
[] new title
[] technical title change (HB only)

[] attached amendment(s)
[] _____ letter of intent adopted

do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

ATTACHES NEW FISCAL NOTE(S):

APPROVES PREVIOUS:

[] fiscal note(s) _____ Dept/Date: _____

[] fiscal note(s) _____ Dept/Date: _____

[] zero fiscal note(s) _____

[] zero fiscal note(s) _____
A-2.05.90

[] appropriation-no fiscal note

[] Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Jan Fink
Tim Kelly
Rick Kelly

Pat [Signature]
Chair: Signature and Recommendation

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

February 6, 1990

Representative Lyman Hoffman
and
Representative Ron Larson
Co-Chairmen
House Finance Committee
Alaska State Legislature
Juneau, Alaska

Dear Representatives Hoffman and Larson:

CSHB 385, relating to eligibility for veterans' death gratuity allowance was adopted by the House State Affairs Committee on February 6. The bill's next committee of referral is the House Finance Committee.

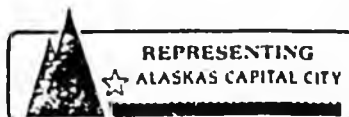
This bill seeks to eliminate the requirement that an Alaskan veteran be physically buried in Alaska. Several veterans have expressed to me the fact that it is becoming harder to find burial space in veterans' plots. Many families have family plots and wish to place their deceased Alaskan veteran in those family plots.

I feel the intent of the State of Alaska's paying a death gratuity in the amount of \$750 is to assist the deceased veteran's family and to honor the deceased for having served in the United States military.

Where an Alaskan veteran is buried really should be up to the family, and not be conditioned upon state policy. The burial of an Alaskan veteran in another state does not diminish the fact that the deceased served in the military or was an Alaska resident at the time of death.

This legislation has a zero fiscal note, and the enclosed letter from John W. Schaeffer, Major General Alaska National Guard, The Adjutant General, points out this legislation will have very little, if any, fiscal impact.

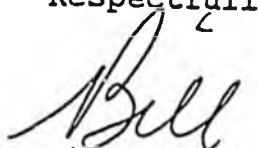
HB 385 has the support of the Veterans of Foreign Wars. A copy of their letter is also enclosed.



Representatives Hoffman and Larson
February 6, 1990
Re: HB 385
Page Two

Your favorable decision to place this bill on the House
Finance Committee agenda at the earliest possible date will be
very much appreciated.

Respectfully,



Bill Hudson

BH:lh

Enclosures



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

MARCH 7, 1990

PRESS RELEASE

HUDSON'S VETERAN BILL PASSES HOUSE

THE HOUSE PASSED HB 385, SPONSORED BY REPRESENTATIVE BILL HUDSON, (R) JUNEAU, ON MARCH 7TH. THE LEGISLATION WILL ALLOW THE SURVIVING SPOUSE OF AN ALASKAN VETERAN TO QUALIFY FOR THE \$750 DEATH GRATUITY REGARDLESS OF WHERE THE VETERAN IS BURIED.

"AN OUT OF STATE BURIAL DOES NOT DIMINISH THE FACT THAT A DECEASED VETERAN WAS AN ALASKAN AT THE TIME OF DEATH OR THE FACT THAT THE VETERAN SERVED IN THE UNITED STATES MILITARY," HUDSON SAID.

THE MEASURE PASSED 38-0, AND HUDSON LOOKS FORWARD TO EARLY PASSAGE IN THE SENATE.

###



Alaska State Legislature



REPRESENTATIVE BILL HUDSON

February 28, 1990

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

COMMITTEES:

Transportation
Resources
Foreign Trade

FINANCE SUBCOMMITTEES

DOT/PF
C & RA

Representative Ben Grussendorf,
Chairman - House Rules Committee
Alaska State Legislature
Juneau, Alaska

Dear Representative Grussendorf:

CSHB 385(SA), relating to eligibility for veteran's death gratuity, was passed out of the House Finance Committee today, and now awaits scheduling by the House Rules Committee for floor action.

This legislation seeks to eliminate the requirement that an Alaskan veteran be physically buried in Alaska for the surviving spouse to receive the \$750 death gratuity. Several veterans have expressed to me the fact that it is becoming harder to find burial space in veterans' plots. Many families have family plots and wish to place their deceased Alaskan veteran in those family plots.

I feel the intent of the State of Alaska's paying a death gratuity in the amount of \$750 is to assist the deceased veteran's family and to honor the deceased for having served in the United States military.

Where an Alaskan veteran is buried really should be up to the family, and not be conditioned upon state policy. The burial of an Alaskan veteran in another state does not diminish the fact that the deceased served in the military or was an Alaska resident at the time of death.

This legislation has the support of the Veterans of Foreign Wars.

Your favorable decision to place this bill on the House calendar for floor action at the earliest possible date will be very much appreciated.

Respectfully,

A handwritten signature in cursive script that reads "Bill".

Bill Hudson

BH:lh



Alaska State Legislature



REPRESENTATIVE BILL HUDSON

P.O. BOX V
Juneau, Alaska
99811

(907)465-3744 or 4991

March 8, 1990

COMMITTEES:

Transportation
Resources
Foreign Trade

FINANCE SUBCOMMITTEES
DOT/PF
C & RA

Senator Pat Pourchot, Chairman
Senate State Affairs Committee
Alaska State Legislature
Juneau, Alaska

Dear Senator Pourchot:

CSHB 385(SA) was unanimously passed by the House on March 7th, and is currently awaiting consideration by the Senate State Affairs Committee.

This legislation seeks to eliminate the requirement that an Alaskan veteran be physically buried in Alaska for the surviving spouse to receive the \$750 death gratuity. Several veterans have expressed to me the fact that it is becoming harder to find burial space in veterans' plots; many families have family plots in other states and wish to place their deceased Alaska veteran in those family plots.

I believe the intent of the State of Alaska's paying a death gratuity in the amount of \$750 is to assist the deceased veterans' family and to honor the deceased for having served in the United States military.

Where the Alaska veteran is buried really should be up to the family, and not be conditioned upon state policy. The burial of an Alaska veteran in another state does not diminish the fact that the deceased served in the military or was an Alaskan resident at the time of death.

This legislation has the support of the Veterans of Foreign Wars.

Your favorable decision to place CSHB 385(SA) on the calendar for a hearing at the earliest possible date in the Senate State Affairs Committee would be very much appreciated by me and all Alaska veterans.

Respectfully,

A handwritten signature in cursive script that reads "Bill Hudson".

Bill Hudson

BH:lh



Alaska State Legislature



REPRESENTATIVE BILL HUDSON

P.O. BOX V
Juneau, Alaska
99811

February 27, 1990

(907)465-3744 or 4991

COMMITTEES:

Transportation
Resources
Foreign Trade

FINANCE SUBCOMMITTEES

DOT/PF
C & RA

Representative Ron Larson
and
Representative Lyman Hoffman,
CoChairmen, House Finance Committee
Alaska State Legislature
Juneau, Alaska

Dear Representatives Larson and Hoffman:

Thank you for your favorable consideration in the House Finance Committee on HB 385 this afternoon.

A question was posed by Representative Ulmer regarding the necessity of the language on line 17.

Chapter 7 SLA 84, a copy of which is attached for your convenient reference, changed the statute to allow for a "death gratuity" instead of a "burial allowance." The effective date of that legislation was May 13, 1984.

I believe it is important to retain the language on line 17; otherwise the surviving spouse of a veteran who died before May 13, 1984 could claim a "death gratuity."

If you have additional questions, please call me or Landa Holtan at 3744 or 4991.

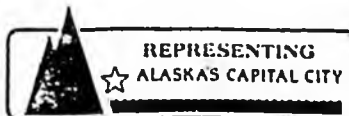
Respectfully,

A handwritten signature in cursive script that reads "Bill".

Bill Hudson

BH:lh

cc: Representative Ulmer w/attachments



STATE OF ALASKA

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

OFFICE OF THE ADJUTANT GENERAL

STEVE FRONTER BUILDING/ERNOR
SUITE 620
3601 C STREET

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

Administrative & Support
Services Division

P.O. Box L
Juneau, AK 99811

February 27, 1990

The Honorable Ramona Barnes
Alaska State Representative
P.O. Box V
Juneau, AK 99811

Dear Representative Barnes,

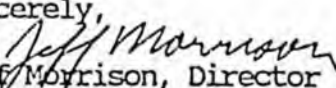
Your staff has requested some information concerning the veterans death gratuity, in connection with your consideration of HB385.

Last year, the Director of Veterans Affairs, Chuck Borg, found out from records in the Division of Vital Statistics that there appeared to be more veterans survivors eligible to claim the death gratuity than were applying for it. Last July, he found out that in calendar year 1987, there were 550 veterans who died, and in 1988, there were 553. We have not yet asked for the information for calendar year 1989. During the same period of time, the number of claims for the veterans death gratuity was much less. In FY 1987, there were 319 claims (\$238,900); in FY 1988, there were 370 claims (\$277,300); and in FY 1989 there were 360 claims (\$270,000).

We are concerned that there are veterans survivors in Alaska who are not claiming this benefit allowed by statute, and Mr. Borg is doing what he can within his budget to increase the awareness of this program and other veterans benefits. In the current fiscal year, however, there has not been any appreciable increase in the number of death gratuity claims filed, over what we had projected in our original budget request.

The FY91 budget request is based on the same number of projected death gratuity claims that were used in the preparation of the budgets for FY89 and FY90: 360 death gratuities per year, or 30 per month. In both the FY89 and FY90 budgets, the legislature elected to underfund the program with the expectation of a supplemental request if needed. Through today, we have paid 156 claims, and have another 54 claims in process. Claims received to date cover deaths through January because of the lag time between a veteran's death and the submission of the death gratuity claim. The total of 210 claims received to date covers seven months at an average of 30 per month, which is very close to our projected budget.

Please let me know if you need any further information.

Sincerely,

Jeff Morrison, Director

cc: Chuck Borg, Director of Veterans Affairs
Representative Ron Larson, Chairman, House Finance subcommittee on D:VA

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.


STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

OFFICE OF THE ADJUTANT GENERAL

FRONTIER BUILDING
SUITE 520
2501 C STREET
ANCHORAGE ALASKA 99513 5989
PHONE (907) 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



LAWS OF ALASKA

1984

Chapter No.

7

Source

SCSHB 306(R1s)

AN ACT

Relating to burial allowances for veterans.

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

THE ACT FOLLOWS ON PAGE 1, LINE 8

Approved by the Governor: February 13, 1984
Actual Effective Date: May 13, 1984

subsection [SECTION] shall be made in the relative's name if necessary. Nothing in this subsection [SECTION] or section applies to child placement for adoptive purposes AS 47.23.110' repealed.

AS 47.23.250(1) amended to read:

Exemptions under AS 09.38 [THE EXEMPTIONS FROM EXECUTION OF JUDGMENT DEBTORS UNDER AS 09.35.080(a) AND THE RESTRICTIONS ON THE POWER OF JUDGMENT DEBTORS UNDER AS 09.35.080(b)(1)] do not apply to enforce the payment of child support under AS 47.23.270; however, 50 percent of the gross wages of a debtor of \$100 a week, whichever is less, is exempt from execution under AS 47.23.230 - 47.23.270.

AS 47.35.010(b) is amended to read:

The department shall, within 90 days after receiving a request that it do so, delegate its powers relating to child care under this section and under AS 47.35.040 - 47.35.060 [AS 47.35.050 AND 47.35.060] to a municipality which has an ordinance providing for day care licensing under home rule authority authorized under AS 29.48.035(a)(20). A municipality to which powers have been delegated may waive or modify the minimum standard established by the department under this section AS 47.35.010 - 47.35.080 as it applies to nurseries and day care centers, but no such regulation or standard as it applies to day care licensee but must notify the department of any such

This Act takes effect immediately in accordance with

AN ACT

Relating to burial allowances for veterans.

• Section 1. AS 26.10.080 is repealed and reenacted to read:

Sec. 26.10.080. DEATH GRATUITY. (a) The division of 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 the effective date of this section 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 division of 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

Chapter 7

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

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

9 (B) a person who served in the Alaska Army National
10 Guard, the Alaska Air National Guard, or the Alaska Naval Militia,
11 or who served in a reserve unit of the United States armed
12 forces in Alaska if the reserve unit required a minimum of one
13 weekend of duty each month and 15 consecutive days of active duty
14 training each year for not less than three years.
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§ 26.05.265

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years of service

or reenlistment,
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S.C. 709;
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whose salary is
4 SLA 1973; am
ch 62 SLA 1983;

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: sentence of subsec-
ubsection (c).

§ 26.05.280

MILITARY AFFAIRS AND VETERANS

§ 26.10.080

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.

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRJENBERG

NAME: EMMET HEIDEMANN
TITLE:
ADDRESS: P.O. BOX 770061
CITY: EAGLE RIVER ZIP: 99577
PHONE: 688-4497
BILL NO: HB 385
SUBJECT: VETERANS' BURIAL ALLOWANCE ELIGIBILITY
MESSAGE: HB 224 AND HB 404: I URGE SUPPORT AND PASSAGE OF THESE 3 BILLS FOR VETERANS. /IH

POMID: 03085002
DATE: 02/16/90
TIME: 08:50:02
LICHNAME: ANCHORAGE LIO

*Attach
with status*

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| MEHARD | MILLER | PEARCE |
| NAVARRE | PETTYJOHN | POURCHOT |
| PHILLIPS | RIEGER | RODEY |
| SHARP | SHULTZ | STURGULEWSKI |
| SWACKHAMMER | TAYLOR | SZYMANSKI |
| ULMER | WALLIS | UEHLING |
| ZAWACKI | | ZHAROFF |

*Caroline also attach
#0385 + status*

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Alaska State Legislature

REPRESENTATIVE BILL HUDSON

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

COMMITTEES:

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Foreign Trade

FINANCE SUBCOMMITTEE:
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

