

**HB**

**167**



24-LS0605Y

Bullock

4/11/05

CS FOR HOUSE BILL NO. 167( ) *as amended.*

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to providing a death certificate for a deceased veteran without cost;  
2 and relating to a program to honor the memory of a deceased veteran."

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

4 \* Section 1. AS 18.50.320 is amended to read:

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

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

12 (2) a certified copy of a certificate or a part of it issued in accordance  
13 with (1) of this section is considered the original for all purposes and is prima facie  
14 evidence of the facts stated; however, [PROVIDED THAT] the evidentiary value of a

1 certificate or record filed more than one year after the event, or a record that has been  
2 amended, or a presumptive death certificate, shall be determined by the judicial or  
3 administrat body or official before whom the certificate is offered as evidence;

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

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

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

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

22 (7) upon request and without cost to the individual making the  
23 request, the bureau shall issue <sup>one</sup> a certified copy of the death certificate of a veteran  
24 to the surviving spouse, next of kin, or other relative of the deceased veteran for  
25 ~~the purpose of obtaining veterans' benefits, social security benefits, and other~~  
26 ~~government benefits;~~ in this paragraph, "veteran" has the meaning given in  
27 AS 26.10.080. *Not listed as to how it is used*

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  
30 request of the governor, the adjutant general of the Department of Military and  
31 Veterans' Affairs may conduct a program for honoring the memory of a deceased

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1           veteran, who was a resident of the state and was discharged under honorable  
2 conditions, by preparing and sending to an eligible recipient a certificate bearing the  
3 signature of the governor and expressing the state's grateful recognition of the  
4 veteran's service in the armed forces, the Alaska National Guard, the Alaska Scouts,  
5 the Alaska State Defense Force, or the Alaska Naval Militia. The award of a  
6 certificate to one eligible recipient does not preclude authorization of another  
7 certificate if a request is received from another eligible recipient.

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

11           (c) In this section,

12                       (1) "eligible recipient" means the surviving spouse, next of kin, or  
13 relative of the deceased veteran;

14                       (2) "veteran" has the meaning given in AS 26.10.080.

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB167CS(MLV)-DHSS-DPH-04-04-05  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): 04/04/2005

Dept. Affected: Health & Social Services

Title DEATH CERTIFICATES FOR DECEASED  
VETERANS WITHOUT COST

RDU Public Health

Component Bureau of Vital Statistics

Sponsor HOUSE (MLV)

Requester HOUSE (STA)

Component No. 961

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES (0)</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	30.0	30.0	45.0	50.0	50.0	50.0
1037 GF/Mental Health						
1156 Rcpt Svcs	( 30.0)	( 30.0)	( 45.0)	( 50.0)	( 50.0)	( 50.0)
Other(Specify Type-do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: \_\_\_\_\_

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The above estimates are based on the \$20 fee for a certified copy of a death certificate and the approximately 1,000 deaths per year where the decedent was a veteran. Under the amended bill, the use of the free copies is limited to: applying for veteran's benefits, social security benefits, or other governmental benefits. It is estimated each veterans' family may request, on average, two to three free copies. It is anticipated that the fiscal impact will be approximately \$30.0 for the first year (\$20 x 1,500 certified copies) the legislation is in effect and then increase to \$50.0 (\$20 x 2,500 certified copies) as more people become aware of the new law. The Bureau currently has no GF funding.

The projected loss of revenue to the Bureau appears in the Receipt Support Services line and will have to be replaced with GF to maintain existing services.

Prepared by: Richard Mandsager, M.D.

Division: Public Health

Approved by: Joel S

Agency: Depar

Phone: 465-8613

Date: 04/05/2005

16/2005

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 166  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Military and Veterans Affairs  
 Title An Act relating to a program to honor a RDU Military and Veterans Affairs  
deceased veteran's military service. Component Veterans Services  
 Sponsor Military and Veterans Affairs  
 Requester (H) Military and Veterans Affairs Component No. 421

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies	.	.	.	.	.	.
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	.	.	.	.	.	.

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	.	.	.	.	.	.
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	.	.	.	.	.	.

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

It is anticipated that a memorial certificate program will cost less than \$1000.00 annually to conduct. The number of deaths each year can not be estimated and therefore the fiscal note is indeterminate.

Prepared by: John Cramer  
 Division: Division of Administrative Services  
 Approved by: Commissioner Craig E. Campbell  
 Agency: Department of Military and Veterans Affairs

Phone: (907) 465-4602  
 Date/Time: 3/8/05 1:33 PM  
 Date: 3/8/2005

# Alaska State Legislature

## Chair

Military and Veterans Affairs Committee

## Member

Labor and Commerce Committee

State Affairs Committee

Econ Dev, Int'l Trade & Tourism

Education Committee

Joint Armed Services Committee

## Finance Subcommittees

Labor and Workforce Development

Community and Economic Development

Military and Veterans' Affairs



*A Communication From*

**REPRESENTATIVE BOB LYNN**

**Chairman**

**House Military and Veterans' Affairs Committee**

## Session:

Alaska State Capitol  
Juneau, AK 99801-1182

Phone: (907) 465-4931

Fax: (907) 465-4316

Toll Free: (800) 870-4391

## Interim:

716 W. 4<sup>th</sup> Ave., #350

Anchorage, AK 99501-2133

Phone: (907) 269-0205

Fax: (907) 269-0207

Representative\_Bob\_Lynn@legis.state.ak.us

## CS HB 167 (MLV)

### Death Certificates for Deceased Veteran

#### Sponsor Statement

HB 167 provides a death certificate without cost to a surviving spouse, next of kin, or other relative of a deceased veteran. The bill is modeled after Arizona statute, which provides the death certificate for purpose of obtaining veteran or social security benefits.

#### Sectional Analysis

**Section 7** outlines who is eligible to receive a free death certificate and indicates that the free death certificate is to be used for the purpose of obtaining veteran or social security benefits. It also defines veteran as the meaning given in AS 26.10.080.

CERTIFICATION OF VITAL RECORD

STATE OF ARIZONA

STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES - OFFICE OF VITAL RECORDS CERTIFICATE OF DEATH

DEATH NO. D 102-

ORIGINAL STATE COPY

Form with fields for NAME OF DECEASED (SEYMOUR EPSTEIN), DATE OF DEATH (JANUARY 31, 2004), PLACE OF DEATH (PRESCOTT VALLEY SAMARITAN CENTER), and SIGNATURE OF PHYSICIAN (S. W. Downing, MD).

FOR GOVERNMENT USE ONLY. Pursuant to A.R.S. 39-122, this copy has been prepared free of charge for Social Security Benefits and should not be used for any other purpose.

CERTIFIED COPY OF VITAL RECORDS

STATE OF ARIZONA COUNTY OF YAVAPAI

DATE ISSUED FEB 16 2004

This is a true file in the PHOENIX, AZ

ARIZONA DEATH CERTIFICATE

J. Jacobson VITAL REGISTRAR HEALTH DEPARTMENT Agency



152164

This copy is

39-122. Free searches for and copies of public records to be used in claims against United States: liability for noncompliance

A. No state, county or city, or any officer or board thereof shall demand or receive a fee or compensation for issuing certified copies of public records or for making search for them, when they are to be used in connection with a claim for a pension, allotment, allowance, compensation, insurance or other benefits which is to be presented to the United States or a bureau or department thereof.

B. Notaries public shall not charge for an acknowledgment to a document which is to be so filed or presented.

C. The services specified in subsections A and B shall be rendered on request of an official of the United States, a claimant, his guardian or attorney. For each failure or refusal so to do, the officer so failing shall be liable on his official bond.

Arizona Revised Statutes

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VETERANS WITHOUT COST

Dept. Affected: Health & Social Services  
 RDU: Public Health  
 Component: Bureau of Vital Statistics

Sponsor: HOUSE (MLV)  
 Requester: HOUSE (STA)

Component No. 961

**Expenditures/Revenues (Thousands of Dollars)**

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**ANALYSIS:** (Attach a separate page if necessary)

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Prepared by: Richard Mandsager, M.D. Phone 465-8613  
 Division: Public Health Date/Time: 04/05/2005  
 Approved by: Joel S 16/2005  
 Agency: Deapar

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<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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Estimate of any current year (FY2005) cost: 0.0

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**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

There is no fiscal impact.

Prepared by: John Cramer Phone (907) 465-4602  
 Division: Division of Administrative Services Date/Time 3/8/05 1:39 PM  
 Approved by: Commissioner Craig E. Campbell Date 3/8/2005  
 Agency: Department