

HB

167

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

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Session:

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Date: February 15, 2006

To: Senator Gene Therriault, Chair
Senate State Affairs Committee

From: Representative Bob Lynn, Chair
House Military and Veterans' Affairs Committee

Re: House Bill 167, Death Certificate for Deceased Veterans

The House Military and Veterans' Affairs Committee respectfully requests that House Bill 167 be scheduled in the Senate State Affairs Committee at your earliest convenience. Included in this packet is the following information:

- Current Version of Bill
- Sponsor Statement
- Sectional Analysis
- Backup material

Thank you for your consideration.

A handwritten signature in cursive script that reads "Bob Lynn" followed by a horizontal line.

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Representative_Bob_Lynn@legis.state.ak.us

CS HB 167 (STA)

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, and will provide one certified copy to the eligible recipient.

HB 167 also creates the Governor's Memorial Certificate Program to allow the Adjutant General to honor deceased veterans who are residents of Alaska, by issuing to their family memorial certificates. The certificate program is modeled after the Presidential Memorial Certificate Program. It is the intent that the Governor's Memorial Certificate Program will simply be a certificate given to surviving family members or other eligible recipients as defined, acknowledging the State's appreciation for the service of the deceased veteran. This portion of the bill was previously in HB 166.

- The bill was amended on the House Floor to expand eligible recipient to include veteran's surviving spouse, next of kin, relative of deceased veterans or other representative (trustee, administrator) of the veteran.

Sectional Analysis

Section 1 (7) outlines who is eligible to receive a free death certificate and indicates that one free death certificate be issued to eligible recipient.

Section 2 adds the Governor's Memorial Certificate Program to AS 26.10. It outlines the procedure for the program

(b) (1) This section defines who is an "eligible individual" of a deceased veteran.

(b) (2) This section defines "veteran" as the meaning given in AS 26.10.080

CERTIFICATION OF VITAL RECORDS

STATE OF ARIZONA

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

DEATH NO.
D 102-

ORIGINAL
STATE
COPY

NAME OF DECEASED		AKA	A FIRST	SEYMOUR	B MIDDLE	C LAST	EPSTEIN	SEX	DATE OF DEATH			MONTH	DAY	YEAR	
1		2		3		4		5		6		7		8	
RACE (e.g., white, black, American Indian, specify tribe) etc.		WAS DECEASED OF HISPANIC ORIGIN (SPECIFY YES OR NO)		IF YES, INDICATE MEXICAN, SPANISH, PUERTO RICAN, CUBAN, ETC.		WAS DECEASED EVER IN U.S. ARMED FORCES? (SPECIFY YES OR NO)		YES		NO		OOA OF EMER IN PATIENT			
PLACE OF DEATH		A COUNTY		B TOWN OR CITY		C HOSPITAL OR INSTITUTION		(IF RESIDENCE, GIVE STREET ADDRESS)		D		E			
DATE OF BIRTH		MONTH		DAY		YEAR		AGE (YEARS LAST BIRTHDAY)		IF UNDER 1 YEAR MOS		IF UNDER 1 DAY HRS		MIN	
STATE AND CITY OF BIRTH (if not in USA, name country)		CITIZEN OF WHAT COUNTRY		SPECIFY		SOCIAL SECURITY NO.		MARIED NEVER MARRIED WID./WED. DIVORCED (SPECIFY)		SURVIVING SPOUSE		(IF WIFE, GIVE MAIDEN NAME)			
USUAL RESIDENCE		A STATE		B COUNTY		C TOWN OR CITY		D ZIP CODE		HOW LONG IN ARIZONA?		E		F	
STREET ADDRESS OF R.F.D.		INSIDE CITY LIMITS? (SPECIFY YES OR NO)		ON RESERVATION (SPECIFY YES OR NO)		PREVIOUS STATE OF RESIDENCE		ELEMENTARY SECONDARY (9-12)		COLLEGE (1-4 or 5+)		HIGHEST GRADE COMPLETED			
15		16		17		18		19		20		21		22	
FATHER'S NAME		A FIRST		B MIDDLE		C LAST		MOTHER'S MAIDEN NAME		A FIRST		B MIDDLE		C LAST	
19		20		21		22		23		24		25		26	
INFORMANT'S SIGNATURE		RELATIONSHIP TO DECEASED		ADDRESS		STREET NO.		CITY AND STATE		ZIP CODE					
21		22		23		24		25		26		27		28	
BURIAL, CREMATION, REMOVAL, OTHER (Specify)		DATE		CEMETERY OR CREMATORY - NAME, LOCATION		EMBALMER'S SIGNATURE		CERT NO.							
29		30		31		32		33		34		35		36	
FUNERAL HOME		NAME		STREET ADDRESS		CITY AND STATE		86314		FUNERAL DIRECTOR'S SIGNATURE		CERT NO.			
37		38		39		40		41		42		43		44	
ARIZONA WAKELIN BRADSHAW, 8480 EAST VALLEY ROAD, PRESCOTT VALLEY, AZ		TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED		SIGNATURE		DATE SIGNED (M, D, Y)		HOUR OF DEATH		DATE SIGNED (M, D, Y)		HOUR OF DEATH		PROMOUNCED DEAD (HOUR)	
45		46		47		48		49		50		51		52	
NAME AND ADDRESS OF CERTIFIER, PHYSICIAN, MEDICAL EXAMINER OR TRIBAL, EMPLOYMENT, OR OTHER AUTHORITY		AUTHORIZED FOR REGISTRATION (SPECIFY)		MEDICAL EXAMINER'S SIGNATURE		DATE REGISTERED		REG. FILE NO.		REG. DISTRICT		DATE RECD IN STATE OFFICE			
53		54		55		56		57		58		59		60	
IMMEDIATE CAUSE OF DEATH		UNDERLYING CAUSE		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH		WEEKS		AUTOPSY (Specify Yes or No)		WAS CAL. REFERRED TO MEDICAL EXAMINER (Specify Yes or No)					
61		62		63		64		65		66		67		68	
MANNER OF DEATH		DATE OF INJURY (At home, farm, street, factory, office building, etc.)		WHERE LOCATED		STREET ADDRESS		CITY OR TOWN		STATE					
69		70		71		72		73		74		75		76	
SUPPLEMENTARY EXPLANATION		MORTUARY EXPLANATION		CORRECTED BOXES 1 & 14A, 2-5-2004											
77		78		79		80		81		82		83		84	

FOR GOVERNMENT USE ONLY
 free of charge for
 Social Security Benefits and

Pursuant to A.R.S. 29-122, this copy has been issued for the purpose of applying for and obtaining Veteran's or Social Security Benefits and shall not be valid for any other purpose.

CERTIFIED COPY OF VITAL RECORDS

STATE OF ARIZONA
COUNTY OF YAVAPAI

DATE ISSUED FEB 06 2004

This is a true and exact reproduction of the document officially registered and placed on file in the VITAL RECORDS SECTION, DEPARTMENT OF HEALTH SERVICES, PHOENIX, ARIZONA Issued under the authority of A.R.S. 36-341, and by direction of:

Marcia M. Jacobson
MARCIA MORAN JACOBSON
YAVAPAI COUNTY REGISTRAR
YAVAPAI COUNTY HEALTH DEPARTMENT



152164

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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Sec. 112. - Presidential memorial certificate program

(a)

At the request of the President the Secretary may conduct a program for honoring the memory of deceased veterans, discharged under honorable conditions, by preparing and sending to eligible recipients a certificate bearing the signature of the President and expressing the country's grateful recognition of the veteran's service in the Armed Forces. The award of a certificate to one eligible recipient will not preclude authorization of another certificate if a request is received from some other eligible recipient.

(b)

For the purpose of this section an "eligible recipient" means the next of kin, a relative or friend upon request, or an authorized service representative acting on behalf of such relative or friend

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**SENATE CS FOR CS FOR HOUSE BILL NO. 167(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - SECOND SESSION**

BY THE SENATE STATE AFFAIRS COMMITTEE

**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 administrative 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 one certified copy of the death certificate of a
24 veteran to an eligible recipient for the purpose of satisfying an eligibility
25 requirement for a benefit related to the death of the veteran; in this paragraph,
26 "eligible recipient" and "veteran" have the meanings given in AS 26.10.085.

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

28 **Sec. 26.10.085. Governor's memorial certificate program.** (a) Upon request
29 of the governor, the adjutant general of the Department of Military and Veterans'
30 Affairs may conduct a program for honoring the memory of a deceased veteran, who
31 was a resident of the state and was discharged under honorable conditions, 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

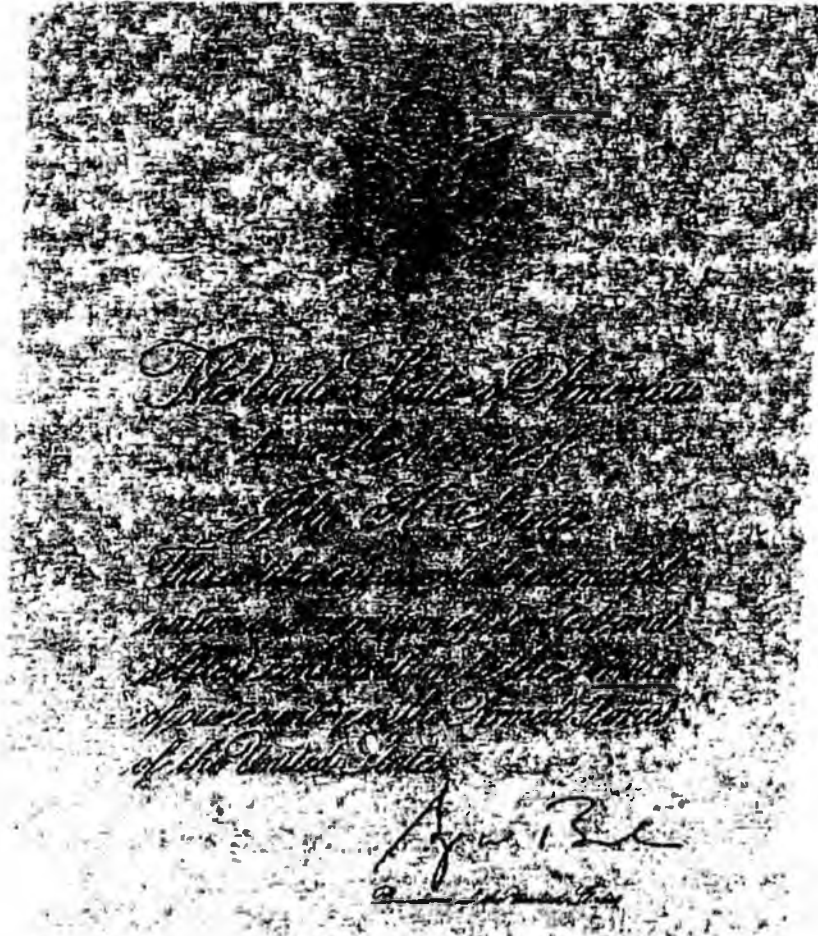
15 (A) is on active duty or has received an honorable or general
16 discharge from a branch of the armed services of the United States, the Alaska
17 Scouts, the Alaska Territorial Guard, the Alaska Army National Guard, the
18 Alaska Naval Militia, or a reserve unit of the United States armed forces in
19 Alaska; and

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

Burial & Memorial Benefits

Veterans Benefits & Services

Presidential Memorial Certificates



A Presidential Memorial Certificate (PMC) is an engraved paper certificate, signed by the current President, to honor the memory of honorably discharged deceased veterans.

History

This program was initiated in March 1962 by President John F. Kennedy and has been continued by all subsequent Presidents. Statutory authority for the program is Section 112, Title 38, of the United States Code.

Administration

The Department of Veterans Affairs (VA) administers the PMC program by preparing the certificates which bear the President's signature expressing the country's grateful recognition of the veteran's service in the United States Armed Forces.

Eligibility

Eligible recipients include the deceased veteran's next of kin and loved ones. More than one certificate may be provided.

Application

Eligible recipients, or someone acting on their behalf, may apply for a PMC in person at any VA regional office or by U.S. mail only. Requests cannot be sent via email. There is no form to use when requesting a PMC. Please be sure to enclose a copy of the veteran's discharge and death certificate. Please submit copies only, as we cannot return original documents. We are presently receiving mail at our Washington, D.C. address, however mail delivery is considerably slower than normal.

If you would like to request a Presidential Memorial Certificate, or if you requested one more than eight (8) weeks ago and have not received it yet, we ask that you either:

1. Fax your request and all supporting documents (copy of discharge and death certificate) to: **(202) 565-8054**, or
2. Mail your request and all supporting documents using either the U.S. Postal Service or a commercial mail service, such as one of the overnight or express mail delivery services, to:

**Presidential Memorial Certificates (402E12)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420-0001**

If you have any questions about a certificate you have received, a request you have already sent in, or about the program in general, you may call **(202) 565-4964**. Or you may email us at:

PMC@mail.va.gov

PLEASE NOTE: The above telephone number and email address are for questions about the Presidential Memorial Certificate Program only. We do not accept e-mail requests. All requests must be in writing.

Veteran Service Officers and Funeral Homes - Please contact us at **(202) 565-4259** or **(202) 501-2004** for information about submitting requests.

We do not administer other VA programs or have access to other VA records. For assistance with other VA benefits or records please use the "Contact the VA" link below. Or call your Regional office at:

1-800-827-1000