

HB

99

<target><bill>HB 99</bill><subject>HB
99</subject><comm>HMLV26</comm></target>

Alaska State Legislature



Chairman
State Affairs Committee

Member
Judiciary Committee
Labor & Commerce Committee
Health & Social Services Committee
Military & Veterans Affairs Committee

Finance Subcommittees
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety

Session:
Alaska State Capitol, #104
Juneau, AK 99801-1182

Phone: (907) 465-4931
Fax: (907) 465-4316
Toll Free: (800) 870-4391

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" www.RepLynnBlog.com

Sponsor Statement
HB 99
Deceased Veteran Death Certificate / Honor

HB 99 provides one certified death certificate, without cost, to a surviving spouse, next of kin, or other eligible relative of a deceased veteran. The bill is modeled after Arizona statute.

HB 99 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.

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 A.S. 26.10. It outlines the procedure for the program.

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

(c)(2) This section defines "veteran" as the meaning given in A.S. 26.10.080.

Alaska State Legislature



Chairman
State Affairs Committee

Member
Judiciary Committee
Labor & Commerce Committee
Health & Social Services Committee
Military & Veterans Affairs Committee

Finance Subcommittees
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" www.RepLynnBlog.com

Session:
Alaska State Capitol, #104
Juneau, AK 99801-1182

Phone: (907) 465-4931
Fax: (907) 465-4316
Toll Free: (800) 870-4391

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

To: Representative Carl Gatto, Chair
House Military and Veterans' Affairs Committee

Fr: Representative Bob Lynn

Re: Blank CS for HB 99 – Changes to the Bill

Attached is a blank CS for HB 99. The CS continues to provide a death certificate for a deceased veteran without charge and removes all reference to the Governor's memorial certificate program.

The changes to HB 99 are:

Page 1 Line 2: **delete** "*relating to a program to honor the memory of a deceased veteran;*"

Page 2 Line 26 after the word "paragraph," **delete** the rest of line 26 and all of lines 27-31.

Page 3 **delete** Lines 1-8

26-LS0010E
Bullard
2/4/09

CS FOR HOUSE BILL NO. 99()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to providing a death certificate for a deceased veteran without charge;**
2 **and providing for an effective date."**

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 charge, the bureau shall issue one
23 certified copy of the death certificate of a veteran to an eligible recipient for the
24 purpose of satisfying an eligibility requirement for a benefit related to the death
25 of the veteran; in this paragraph,

26 (A) "eligible recipient" means the veteran's surviving
27 spouse, or next of kin, or relative of the deceased veteran, the deceased
28 veteran's heir or devisee, and the administrator, executor, personal
29 representative, foreign personal representative, beneficiary, conservator,
30 fiduciary, special administrator, successor personal administrator, or
31 trustee of the deceased veteran's estate;

1
2
3
4
5
6
7
8
9
10
11

(B) "veteran" means an individual who was

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

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

* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB099
() Publish Date: _____

Identifier (file name): HB099-DHSS-BVS-02-13-09 Dept. Affected: Health & Social Services
Title: Deceased Veteran Death Certificate/Honor RDU: Public Health
Component: Bureau of Vital Statistics
Sponsor: State Affairs
Requester: House MLV Component Number: 961

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES (
-----------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF		50.0	60.0	75.0	90.0	90.0	90.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Receipt Supported Services		(50.0)	(60.0)	(75.0)	(90.0)	(90.0)	(90.0)
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

Under this bill family members or representatives (executors, etc.) of deceased veterans may each request one free copy of the veteran's certified death certificate. Because the Bureau of Vital Statistics (BVS) relies substantially on fee revenues to cover its operating costs, any loss of these revenues will have an immediate impact on staffing and quality of service to the public if not replaced by general funds.

About 3% of the proposed FY10 budget for BVS is GF (\$89.0). In contrast, 75% of the BVS budget proposed for FY10 comes from Receipt Supported Services (RSS). Limited flexibility in the BVS budget compounds the problem of relying on fees for operating costs. (Continued on Page 2)

Prepared by: Beverly Wooley, Director Phone 907-465-4079
Division: Public Health Date/Time 2/11/09 12:00 AM

Approved by: Alison Elgee, Assistant Commissioner Date 2/13/2009
DHSS Finance Management Services

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

BILL NO. HB099

ANALYSIS CONTINUATION

One-third of BVS's annual expenses are fixed costs for items such as lease space, telecommunications services and paper for certificates. Areas where there is some flexibility, such as travel, have been reduced in recent years due to "belt tightening" budget reductions and loss in buying power. Nearly two-thirds of the BVS budget covers personal services.

We project this bill will cost BVS \$50.0 in lost revenue in FY10, increasing to a loss of \$90.0 by FY13. The estimates are based on the \$20 fee for a certified copy of a death certificate and the approximately 900 deaths per year where the decedent was a veteran. Under this version of the bill, receipt of free copies is not restricted - each family member or representative may request one free copy but any number of family members or representatives may request a free copy. It is estimated that veterans' families and representatives will request, on average, five free copies (families have been known to request as many as 30 copies of a death certificate). The fiscal impact will be approximately \$50.0 for the first year the legislation is in effect (\$20 x 2,500 certified copies, assuming just 500 families will request 5 certificates each in the first year), increasing to \$90.0 by FY13 (\$20 x 4,500 certified copies) as more people become aware of the new benefit provided by this law. The Bureau will experience a greater loss of revenue if this bill generates more than five requests per death, or if the number of decedents who are veterans exceeds 900 in a year.

This projected loss of revenue to BVS appears in the Receipt Supported Services line and, if the current level of staffing and service to the public is to be maintained, this lost revenue will have to be replaced with GF. If new GF is not received to offset the lost revenue, the Bureau will have to eliminate one position the first year this bill is in effect, and a second position within the subsequent one to two years. The loss of these positions will limit the Bureau's ability to process requests for vital records in a timely manner by limiting the number of requests that can be processed daily. Previous experience has shown that when BVS is understaffed, the public can expect delays of up to eight weeks for processing vital record requests. At current staffing levels, the average turnaround time is two to three days.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB99 (MLV)
() Publish Date: _____

Identifier (file name): HB99-DMVA-VS-2-4-09 Dept. Affected: Dept of Military and Veterans Affairs
Title: An Act relating to providing a death certificate for a deceased veteran without charge; relating to a program to honor... RDU: Military and Veterans Affairs
Sponsor: House Spec Comm on MVA, State Affairs, Finance Component: Veterans Services
Requester: MLV Component Number: 421

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	3.0	0.0	3.0	3.0	3.0	3.0	3.0	3.0
Supplies	7.0	0.0	7.0	7.0	7.0	7.0	7.0	7.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	10.0	0.0	10.0	10.0	10.0	10.0	10.0	10.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	10.0	0.0	10.0	10.0	10.0	10.0	10.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	10.0	0.0	10.0	10.0	10.0	10.0	10.0

Estimate of any current year (FY2009) cost: 4.0

POSITIONS

Full-time	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Impact to the Department of Military and Veterans Affairs is for the cost of postage, mailing envelopes and paper stock for the Governor's memorial certificate program certificates.

Prepared by: McHugh Pierre, Legislative Liaison/Director of Communications Phone 465-4402
Division: National Guard Military Headquarters/Office of the Commissioner Date/Time 2/4/09 @ 1:15 pm
Approved by: Commissioner Craig Campbell Date 2/4/2009
Department of Military and Veterans Affairs

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

Form with fields for NAME OF DECEASED (AKA, FIRST, MIDDLE, LAST), SEX, DATE OF DEATH, RACE, PLACE OF DEATH, AGE, MARRIAGE STATUS, OCCUPATION, RESIDENCE, and SIGNATURE.

FOR GOVERNMENT USE ONLY. Pursuant to A.R.S. 29-122, this copy has been issued free of charge for the purpose of applying for and obtaining Veterans Security Benefits and shall not be valid for any other purpose.

CERTIFIED COPY OF VITAL RECORDS

STATE OF ARIZONA COUNTY OF YAVAPI

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.

Marcia M. Jacobson

MARCIA MORAN JACOBSON



152164 149



House of Representatives
State Capitol
Juneau, AK 99801

Dear Representative,


The American Legion, Veterans of Foreign Wars and The Disabled American Veterans express the deep appreciation to you and other House members for the strong support given the veteran's legislative programs this past session. We have enclosed a copy of the Joint Venture's legislative priorities for consideration by the First Session of the 25th State Legislature.

Again, please accept our thanks and appreciation for your continuing support of important veteran issues.

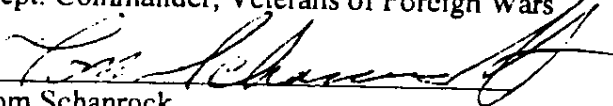
Sincerely,



Jim Pisa
Dept. Commander, The American Legion



Joe Simms
Dept. Commander, Veterans of Foreign Wars



Tom Schanrock
Dept. Commander, Disabled American Veterans

Burial & Memorial Benefits

Veterans Benefits & Services

Sample Presidential Memorial Certificates



The United States of America

honors the memory of

John H. Service

This certificate is awarded by a grateful nation in recognition of devoted and selfless consecration to the service of our country in the Armed Forces of the United States.

Agnew
President

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 current 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.

Page 2 - Presidential Memorial Certificates

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.

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 (41A1C)
Department of Veterans Affairs
5109 Russell Road
Quantico, VA 22134-3903**

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 send an electronic inquiry to us by selecting the "Contact the VA" link below.

PLEASE NOTE: The above telephone number is for questions about the Presidential Memorial Certificate Program only.

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

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