

SCOMM

139:5

- CORRECTED -

FURTHER REFERRALS: State Affairs

Date of Committee Action: 3-17-05

The HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS considered:

HB 166

HOUSE BILL NO. 166

VETERANS' MEMORIAL CERTIFICATES

"An Act relating to a program to honor a deceased veteran's military service."

Recommends it be replaced with ☐ HCS or ☒ CS for HB 166 (MVA)
For Senate Bills with new title: ☐ Technical Title ☐ New Title: HCR _____ ☒ Same Title ☐ New Title

- ☐ attach amendments
☐ add new referral to _____ Committee
☐ Letter of Intent _____ Committee

List of
Abbrev
for
Depts.:
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LEG
LA^W
LWF
MVA
DNR
DPS
REV
DOT
UA

[illegible][illegible]

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
Wm. B. O'Connell	Thomas	✓			
Max Gruenberg	Gruenberg	-			
Elkins	ELKINS	✓			
Crissna	CRISNA	✓			
Chair: Lynn	LYNN	X			
Chair:					

Contact: Kelly Huber: 465-3783
Date: 03-17-05
Action: (H) MLV » (H) FIN

HB 166: VETERANS' MEMORIAL CERTIFICATES

Creates the Governor's Memorial Certificate Program to allow the Adjutant General to honor deceased veterans who are Alaska residents by issuing to their family death 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 issued to surviving family members or other eligible recipients as defined, acknowledging the State's appreciation of the service of deceased veterans.

Version: HB 166
Sponsor: (H) MLV
Contact: Nancy Manly:
Date: 03-17-05
Action: (H) MLV » (H) STA

HB 167: DEATH CERTIFICATE FOR DECEASED VETERAN

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's or Social Security Benefits.

Version: HB 167
Sponsor: (H) MLV
Contact: Nancy Manly: 465-4931
Date: 03-17-05
Action: (H) (MVA) » (H) STA

HB 178: SPECIAL REQUEST LICENSE PLATES

Allows all motor vehicles subject to registration the opportunity to display the standard, 'vanity' or a specialty plate offered by the DMV. Each additional plate sold will generate additional revenue for the State of Alaska.

Version: CS HB 178 (STA)
Sponsor: Olson
Contact: Eleanor Wolfe: 465-3707
Date: 03-17-05
Action: (H) STA » (H) FIN

HB 181: WAIVE CONTINUING EDUC. REQ FOR MILITARY

Introduced to eliminate the possibility of a professional licensee losing his or her license because of failure to fulfill statutory requirements for continuing education while serving on active duty in a combat zone or area where continuing education classes are not available.

Version: HB 181
Sponsor: Coghill
Contact: Karen Lidster: 465-3719
Date: 03-17-05
Action: (H) MLV » (H) L&C

HB 201: PERM. FUND DIVIDEND APPS OF MILITARY

The purpose of this bill is to permit the person who has power of attorney for an individual who is serving on active duty with the United States armed services outside the state of Alaska to sign and file a permanent fund application for said individual.

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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HB 166

Sponsor Statement

HB 166 creates the Governor's Memorial Certificate Program to allow the Adjutant General to honor deceased veterans who are Alaska residents by issuing to their family death 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 issued to surviving family members or other eligible recipients as defined, acknowledging the State's appreciation of the service of deceased veterans.

Sectional Analysis

section 1 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 recipient" of a deceased veteran to receive the certificate.

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

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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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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

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 qualified veteran 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 person designated as the representative of the veteran. A veteran is qualified under this subsection if the veteran

- (1) burial occurred in the state on or after May 13, 1984; or
(2) death occurred on or after September 19, 1990.

(b) A death gratuity may be paid for a veteran otherwise eligible under (a) of 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 E.O. No. 58, § 12 (1984); am § 1 ch 7 SLA 1984; am § 1 ch 16 SLA 1985; am § 1 ch 146 SLA 1990)

Revisor's notes. — In subsection (c) of this section, "Department of Military and Veterans' Affairs" was substituted for "division of veterans' affairs" under § 27, E.O. 58, in 1984.

Sec. 26.10.090. Alaska Territorial Guard veterans included. In this chapter, except where otherwise indicated, "veteran" includes a person who served in the Alaska Territorial Guard. (§ 10 ch 93 SLA 1991)

Chapter 15. Veterans' Loans.

Section

10. Powers and duties of Department of Commerce, Community, and Economic Development with respect to veterans' loans
20. Validation of certain documents
30. Powers and duties of Department of Commerce, Community, and Economic Development in general
40. Veterans' loans
50. Interest rates
70. Sale or transfer of mortgages and notes

Section

- 85. Disposal of property acquired by default or foreclosure
- 90. Alaska World War II veterans' revolving fund
- 95. Special account established
- 130. Eligibility for loans
- 140. Eligibility for benefits under this chapter
- 160. Extension of chapter to members of the Alaska Territorial Guard and to veterans of Korea and Vietnam

Administrative Code. — For veteran's loan assumptions, see 3 AAC 41.

**Transfer of property to non
veteran transferring property finan
cially to a nonveteran was not exp
licitly illegal, and was not void as ag
inst public policy. *Currington v. Johnson*, 685 P.2d
1000, 1001 (Colo. 1984).**

Sec. 26.15.010. Power and Economic Development of Commerce, Community, regulations relating to the mend legislation.

(b) The department shall make provision for Servicemen's Re-Adjustment Loans. Under regulations of the department, portions of loans not to exceed \$10,000, on the qualifications of beneficiaries, may be made by bank, savings and loan associations, and may grant participation in the same.

(c) Under regulations of more qualified veterans to with one or more other per a business or joint vent nonveteran or nonveteran joint venture.

(d) Under regulations of
with insurance companies
(c) ACLA 1949; am ch 83;

Revisor's notes. — In 1999, "Department of Commerce and ment" was changed to "Depart and Economic Development" in a ch. 58, SLA 1999.

In 2004, in (a) of this sect
Community and Economic
changed to "Department of Cor

Sec. 26.15.020. Valid
ments, or other docume
provisions of this chapter
"Veterans' Affairs Commi
signor, assignee, or others
under the provisions of an
Territory of Alaska, the
veterans' affairs, in an
subsisting obligations, an
be kept, paid, performed,
instrument shall be disch
delivering any such instru
Affairs Commission," not

Sec. 26.15.030. Power and Economic Development