

REFERENCE TITLE: military family relief; fund; committee

State of Arizona
Senate
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2008

SB 1169

Introduced by
Senators Arzberger: Aboud, Garcia, Rios, Soltero; Representatives Alvarez,
Burns J, Lopes

AN ACT

AMENDING SECTION 41-608.04, ARIZONA REVISED STATUTES; RELATING TO THE
MILITARY FAMILY RELIEF FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-608.04, Arizona Revised Statutes, is amended to
3 read:

4 41-608.04. Military family relief fund; advisory committee

5 A. The military family relief fund is established through December 31,
6 2013. The fund consists of private donations, grants, bequests and any other
7 monies received for that purpose. The department shall administer the
8 fund. On notice from the director, the state treasurer shall invest and
9 divest monies in the fund as provided by section 35-313, and monies earned
10 from investment shall be credited to the fund. The monies in the fund are
11 continuously appropriated to the department solely for the purposes described
12 in this section. Any monies remaining unexpended and unencumbered on
13 December 31, 2013 shall be transferred for deposit in the veterans' donations
14 fund established by section 41-608.

15 B. The military family relief advisory committee is established to
16 determine appropriate uses of the monies in the military family relief fund
17 as provided by this section. The advisory committee consists of the director
18 or the director's designee and twelve additional members, including widows
19 and widowers of military personnel who died in the line of duty, military
20 retirees, veterans who have a service-connected disability and their family
21 members, ~~and~~ Arizona army and air national guard unit commanders **AND ACTIVE**
22 **AND RETIRED SENIOR ENLISTED MILITARY PERSONNEL**. Except for the director, the
23 governor shall appoint the members based on recommendations by the director,
24 by Arizona army and air national guard commanders and by commanders of
25 military bases in this state. Appointed members serve at the pleasure of the
26 governor. **THE COMMITTEE SHALL ELECT A CHAIRPERSON FROM AMONG THE APPOINTED**
27 **MEMBERS.**

28 C. The advisory committee shall:

29 1. Establish criteria for the use of monies in the fund.

30 2. Establish and revise as necessary the application process for
31 financial assistance.

32 3. Review and evaluate applications **AS PROVIDED BY SUBSECTION E OF**
33 **THIS SECTION.**

34 4. Make other recommendations as necessary.

35 **D. THE ADVISORY COMMITTEE IS EXEMPT FROM CHAPTER 6 OF THIS TITLE FOR**
36 **THE PURPOSES OF SUBSECTION C, PARAGRAPHS 1 AND 2 OF THIS SECTION.**

37 **E. THE ADVISORY COMMITTEE MAY ESTABLISH A SUBCOMMITTEE, CONSISTING OF**
38 **NOT MORE THAN FIVE MEMBERS OF THE FULL COMMITTEE, FOR THE EXCLUSIVE PURPOSE**
39 **OF REVIEWING, EVALUATING AND MAKING RECOMMENDATIONS TO THE FULL COMMITTEE**
40 **REGARDING APPLICATIONS FOR ASSISTANCE. NOTWITHSTANDING SECTION 38-431.03, A**
41 **SUBCOMMITTEE MAY MEET IN EXECUTIVE SESSION WITHOUT ADVANCE NOTICE. THE FULL**
42 **ADVISORY COMMITTEE MAY MEET IN EXECUTIVE SESSION, WITH NOTICE PURSUANT TO**
43 **SECTION 38-431.02, TO REVIEW AND EVALUATE APPLICATIONS OR REVIEW**
44 **RECOMMENDATIONS OF THE SUBCOMMITTEE. APPLICATIONS FOR FINANCIAL ASSISTANCE**
45 **AND ALL COMMITTEE CONSIDERATION AND EVALUATION OF THE APPLICATIONS ARE**

1 CONFIDENTIAL. A PERSON WHO HAS RECEIVED CONFIDENTIAL INFORMATION WHILE A
2 MEMBER, EMPLOYEE OR AGENT OF THE ADVISORY COMMITTEE, A SUBCOMMITTEE OR THE
3 DEPARTMENT SHALL NOT DISCLOSE THAT INFORMATION.

4 ~~D.~~ F. The monies in the fund shall be used to provide financial
5 assistance to family members of ~~military personnel who were killed or wounded~~
6 ~~in the line of duty, and who were deployed from a military base in this state~~
7 ~~or who were members of the Arizona army or air national guard~~ DECEASED,
8 WOUNDED, INJURED OR SERIOUSLY ILL SERVICE MEMBERS OR VETERANS WHO DEPLOYED
9 FROM A MILITARY BASE IN THIS STATE OR WHO ENTERED ACTIVE UNITED STATES
10 MILITARY SERVICE FROM THIS STATE, AND WHO CLAIM THIS STATE AS THEIR HOME OF
11 RECORD, OR WHO WERE MEMBERS OF THE ARIZONA NATIONAL GUARD AT THE TIME OF
12 DEPLOYMENT. The assistance to family members shall be based on financial
13 need. Eligible assistance is as follows:

14 1. Widows and widowers of military personnel who ~~were killed~~ DIED in
15 the line of duty IN A COMBAT ZONE OR A ZONE WHERE THE PERSON WAS RECEIVING
16 HAZARDOUS DUTY PAY may apply for a stipend for living expenses for up to six
17 months after the termination of military pay and death benefits. For the
18 purposes of the stipend, qualifying living expenses are residential mortgage,
19 rent and utility payments and other basic living expenses. PAYMENTS WITH
20 RESPECT TO ANY DECEASED PERSON UNDER THIS PARAGRAPH ARE LIMITED TO A TOTAL OF
21 TEN THOUSAND DOLLARS, PAYABLE IN MONTHLY INSTALLMENTS.

22 ~~2. Spouses and minor children of military personnel who were wounded~~
23 ~~in the line of duty may apply for a stipend for living expenses for up to six~~
24 ~~months near a military or veterans hospital or rehabilitation facility where~~
25 ~~the person is being treated, including travel and housing expenses.~~

26 2. A SPOUSE OR CHILD OF A SERVICE MEMBER OR VETERAN, OR THE PARENTS OF
27 AN UNMARRIED SERVICE MEMBER OR VETERAN, WHO WAS WOUNDED OR INJURED OR WHO
28 CONTRACTED A SERIOUS ILLNESS IN THE LINE OF DUTY WHILE DEPLOYED IN A COMBAT
29 ZONE OR IN A ZONE WHERE THE PERSON WAS RECEIVING HAZARDOUS DUTY PAY MAY APPLY
30 FOR PAYMENT OF COSTS OF TEMPORARY RESIDENCE NEAR THE MEDICAL FACILITY WHERE
31 THE SERVICE MEMBER OR VETERAN IS BEING TREATED, INCLUDING TRAVEL AND HOUSING
32 EXPENSES. TO QUALIFY FOR THE PURPOSES OF THIS PARAGRAPH, IF DISCHARGED FROM
33 MILITARY SERVICE, THE VETERAN MUST HAVE BEEN DISCHARGED UNDER HONORABLE
34 CONDITIONS. PAYMENTS WITH RESPECT TO ANY SERVICE MEMBER OR VETERAN UNDER
35 THIS PARAGRAPH ARE LIMITED TO A TOTAL OF TEN THOUSAND DOLLARS, PAYABLE IN
36 MONTHLY INSTALLMENTS AS LONG AS THE PERSON IS HOSPITALIZED OR RECEIVING
37 MEDICAL CARE OR REHABILITATION SERVICES AS AUTHORIZED BY MILITARY OR
38 VETERANS' MEDICAL PERSONNEL FOR THE SPECIFIC INJURY OR ILLNESS AND THE
39 PRESENCE OR ASSISTANCE OF FAMILY MEMBERS IS NECESSARY.

40 ~~E.~~ G. The director may allocate up to five per cent of the fund
41 balance at the beginning of the fiscal year for administering the fund and
42 the financial assistance program under this section.

1 ~~F~~. H. The director shall receive private donations for deposit in the
2 fund and issue receipts to the donors. Private donations may qualify for the
3 purposes of income tax credits under section 43-1086. The director may
4 receive donations in any amount, but donations THAT QUALIFY FOR TAX CREDITS
5 ARE SUBJECT TO THE LIMITS PRESCRIBED BY SECTION 43-1086. DONATIONS to the
6 fund THAT OTHERWISE QUALIFY UNDER THE TAX CREDIT LIMITS PRESCRIBED BY SECTION
7 43-1086 BUT that exceed a combined total of one million dollars in any
8 calendar year, on a first come first served basis, do not qualify for the
9 income tax credits. The director shall provide the taxpayer a donation
10 receipt, which shall include the TAXPAYER'S full name, ~~AND~~ address, ~~and~~ the
11 last four digits of the taxpayer's social security number and the amount of
12 the donation. The director shall designate on the donation receipt whether
13 the donation qualifies under the limits prescribed by this subsection and
14 section 43-1086. The director shall send a ~~copy of each receipt~~ RECORD OF
15 RECEIPTS that ~~qualifies for a donation~~ QUALIFY UNDER THIS SUBSECTION to the
16 department of revenue.

17 ~~G~~. I. On or before March 31 of each year, the director shall provide
18 for an audit by an independent certified public accountant of the fund and of
19 the aggregate amount authorized by the director for income tax credits under
20 subsection ~~F~~ H of this section. The director shall promptly submit a
21 certified copy of the audit to the auditor general. The auditor general may
22 make further audits and examinations as necessary and may take appropriate
23 action relating to the audit or examination pursuant to chapter 7, article
24 10.1 of this title. If the auditor general does not take further action
25 within thirty days after the audit is filed, the audit is considered to be
26 sufficient. The director shall pay the costs of the certified public
27 accountant and the auditor general from the administration allocation under
28 subsection ~~E~~ G of this section.