

GUIDELINES AND BYLAWS FOR THE ARIZONA MILITARY FAMILY RELIEF FUND ADVISORY COMMITTEE

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Definitions

Active Duty

Military members who are currently serving full time in their federal military capacity ADOR

ADOA Arizona Department of Administration

ADVS

Arizona Department of Veterans' Services

Award

An approved relief fund request for financial assistance

Home of Record

The place recorded as the home of the individual when commissioned, appointed, enlisted, inducted or ordered into a tour of active military duty.

Residency

service member has a documented place of habitation and is living in this state or has a community service organization verification of homeless status and continuous physical presence in this state for 12 months.

Immediate Family

Widow, widower, parent (including a family member who stood "in loco parentis") spouse or dependent children of eligible military personnel.

In the Line of Duty

A determination by the respective military service and/or the US Department of Veterans Affairs that the service member's death, injuries and/or illness were sustained or contracted while participating in an authorized activity.

CFO

Chief Financial Officer

Combat Zone

An area designated by an Executive order from the President as an area in which the United States Armed Forces are engaging or have engaged in combat. An area usually becomes a combat zone and ceases to be a combat zone on the dates the President designated by Executive Order.

Deployment

Military deployment is the movement of armed forces. Deployment includes any movement from a military Service Member's home station to somewhere outside the continental U.S. and its territories. One example would be when a unit based in the U.S. is deployed to another country to enter into a combat zone. Deployment is not restricted to combat; units can be deployed for other reasons such as humanitarian aid, evacuation of U.S. citizens, restoration of peace, or increased security.

Service

The period in which the service member or veteran served

Imminent Danger Pay

Pay to anyone on duty outside the United States area who is subject to physical harm or imminent danger due to wartime conditions, terrorism, civil insurrection, or a civil war.

Hazardous Duty Pay

Pay to anyone who is exposed to hostile fire or mine explosion.

*The above definitions are for the purposes of this document only

Purpose

- Award amounts are limited by the monies available to the Department through MFRF Pre-9/11 Tax Credit Donations
- The MFRF Pre-9/11 Advisory Committee is established to determine appropriate use of available MFRF Pre-9/11 monies³.
- The grant of available MFRF Pre-9/11 monies is subject to the MFRF Grant Process (4) and MFRF Use Criteria (5).

Accordingly, the MFRF Pre-9/11 Advisory Committee hereby establishes these MFRF Pre-9/11 Bylaws.

Bylaws

1. Incorporation into Bylaws

The purpose statement above is wholly incorporated into the Bylaws.

2. MFRF Pre-9/11 Advisory Committee

The MFRF Pre-9/11 Advisory Committee considers and evaluates MFRF Pre-9/11 applicants and their applications by the MFRF Use Criteria, and then recommends to the Deputy Director of ADVS to approve or deny all or part of each MFRF application through the MFRF Grant Process. Considerations, evaluations and recommendations through the MFRF Grant Process are confidential (6). Integrity of the MFRF Grant Process is essential to the State's interests in Veterans and MFRF. Integrity is obtained and maintained by discreet, objective and impartial adherence to and application of the MFRF Grant Process, avoidance of conflicts with MFRF interests and processes, and keeping in confidence the proceedings of the MFRF Grant Process.

3. Appointment to MFRF Pre-9/11 Advisory Committee

Service as a member of the MFRF Pre-9/11 Advisory Committee is by appointment of the Governor, based on recommendations by the Director of ADVS and the Adjutant General of Arizona National Guard. Committee members will serve a 1-year term limit and may seek reappointment if they are in compliance of section 4 of the bylaws. The Director may exempt a committee member from the 1-year term limit. The Director of ADVS may send all appointment recommendations to the Boards and Commissions for approval. Appointment is based upon a member's experience with Pre-9/11 service members, veterans and their families; and the member's ability to discreetly, objectively and impartially consider, evaluate and recommend MFRF applications and MFRF applicants through the MFRF Grant Process. Potential MFRF Pre-9/11 Advisory Committee members must fill out required forms and be in good standing with their organization and the community. Potential applicants must not have any felonies or complaints of discrimination against them. Once appointed to the MFRF Pre-9/11 Advisory Committee, members must inform the Director of ADVS or the Director's Designee of any potential or active infractions that do not comply with the State of Arizona Boards and Commissions guidelines.

Advisory Committee will hold nominations and/or volunteers for new Chair & Vice Chair between 4-6 months prior to term limits. If more than 1 person is interested in Chair or Vice Chair, will go to a committee vote.

4. MFRF Pre-9/11 Advisory Committee Members

As a condition of appointment, each MFRF Pre-9/11 Advisory Committee member is hereby required to:

1. Read, understand and adhere to the Bylaws in the member's participation in the MFRF Grant Process;
2. Must complete recommended information security training as designated by the MFRF staff.
3. Disclose to the MFRF Pre-9/11 Advisory Committee Chairperson any conflicts of interest (7) the member has or may have with ADVS and with the State's interests in MFRF and the MFRF Grant Process;
4. Have no interest in any MFRF application and with any MFRF applicant other than as a member of the MFRF Advisory Pre-9/11 Committee;

5. Disclose to the MFRF Pre-9/11 Advisory Committee Chairperson any substantial interest (8) the member has or may have in any MFRF application and with any MFRF applicant;
6. Have no communication with MFRF participant during any interest in applying & application process except during MFRF Pre-9/11 Advisory Committee or subcommittee meetings;
7. If committee members has had any prior/current relationship with applicants, it will be advised to bring to attention to the committee to define. Based on that relationship, the Chair will seek guidance with the committee to move forward or have committee member stand down for that particular application
8. Discreetly, objectively and impartially apply the MFRF Use Criteria to each MFRF application and each MFRF applicant that the member considers, evaluates and recommends; and
9. Keep member's participation in the MFRF Grant Process confidential, except as otherwise required by law.
10. Attend 9 out of the 12 annual meetings to remain in good standing on the Committee or face potential termination. 90 days prior to term expiration, ADVS staff will announce any open Committee positions and present all applications to the Director of ADVS for approval. A Committee member must give 30 days' written notice to ADVS staff in order to resign from their position.
11. If a committee member is absent to 3 annual MFRF monthly meetings the Chair, Vice Chair and committee member will be notified by the staff. Once notified, the 4th absence will be immediate removal from committee.
12. To remain on MFRF Committee, each member is allowed to miss up to 3 annual meetings in calendar year. Once a 3rd missed meeting has occurred in calendar year, ADVS staff will make aware of this status to committee. If a 4th missed meeting occurs in calendar year committee member will be removed from committee effective immediately.

5. Member's Statement

Each member must execute a written conflict of interest and confidentiality statement prior to participation in the MFRF Grant Process⁹. The statement will include the requirements herein and be written in the format prescribed by the MFRF Pre-9/11 Advisory Committee Chairperson with the prior concurrence of the Attorney General.

6. Meetings of the Committee

1. The MFRF Pre-9/11 Advisory Committee shall meet monthly at the call of the Chairman. Any five members of the Committee may at any time call a special meeting of the MFRF Pre-9/11 Advisory Committee. All meetings of the MFRF Pre-9/11 Advisory Committee shall comply with the provisions of Arizona Open Meeting Law (10).

2. The majority of the membership of the MFRF Pre-9/11 Advisory Committee shall constitute a quorum for the transaction of business at any meeting of the MFRF Pre-9/11 Advisory Committee.

3. The ADVS Director may designate an alternate representative to be available to attend as a voting member in the event a meeting quorum has not been met. The committee may call on this alternate to attend a meeting as necessary.

4. Public notice of all meetings of the MFRF Pre-9/11 Advisory Committee shall be provided in accordance with Arizona Open Meeting Law. Public notice shall also be provided to the Secretary of State for posting at the kiosk at the West Wing of the Capitol.

5. Written notice of any regular meeting of the MFRF Pre-9/11 Advisory Committee, plus the agenda and all material relating to agenda items, shall be transmitted to each MFRF Pre-9/11 Advisory Committee member no less than 24 hours before the meeting date.

6. Amendments to the agenda and additional supporting materials, not previously available, shall be transmitted, when practicable, no less than 24 hours prior to the meeting. Except with the approval of three-fourths of the voting members in attendance at the meeting, and if permitted by law, no action shall be taken by the MFRF Pre-9/11 Advisory Committee on any matter where material is not timely submitted with this section.

7. Meeting Procedures

1. The rules contained in the current edition of Robert's Rules of Order Newly Revised in Brief shall govern the deliberations of the MFRF Pre-9/11 Advisory Committee in all cases to which they are applicable and in which they are consistent with these bylaws and special rules of order the MFRF Pre-9/11 Advisory Committee may adopt, and with any applicable statute.

2. The order of business for any regular meeting of the MFRF Pre-9/11 Advisory Committee shall be determined by the Chairman provided the item of business was properly listed on the agenda for the

meeting. Such agenda shall provide for both an executive session and open session in accordance with the regulations or law. The open session portion of the agenda shall provide at least for the following:

- a. Approval of minutes of prior regular or special meetings not previously approved;
- b. A public vote on any applications for assistance from the Military Family Relief Fund;
- c. Call to the public;
- d. Announcements and adjournment.

3. During the course of any regular meeting of the MFRF Pre-9/11 Advisory Committee, the Chairman shall act as the presiding officer, and all motions shall be directed to the Chairman. Whenever a matter before the MFRF Pre-9/11 Advisory Committee is deferred for further discussion, the Chairman may assign the matter to a member or members for further review, schedule the matter for further consideration at a future meeting of the MFRF Pre-9/11 Advisory Committee, or take any other appropriate action.

4. All meetings of the MFRF Pre-9/11 Advisory Committee are open to the public except for executive sessions. The Committee reserves the right, however, to maintain order to prevent interference by any member or members of the public with the conduct of its meetings.

8. Minutes of Meetings of the Committee

1. Minutes of all meetings of the MFRF pre-9/11 Advisory Committee shall be maintained in accordance with the requirements Arizona Open Meeting Law. Minutes will be posted on the agency web site upon approval.

2. Each member of the MFRF Pre-9/11 Advisory Committee shall be furnished with copies of the minutes of the open session portion of each regular meeting of the MFRF Pre-9/11 Advisory Committee. Members of the MFRF Pre-9/11 Advisory Committee may request copies of the minutes of the executive session portion of any meeting of the Committee for the purpose of approving the minutes.

3. All minutes of the open session portion of any meeting of the MFRF Pre-9/11 Advisory Committee shall be open to public inspection during regular business hours at the Office of the Director, Arizona Department of Veterans' Services. Minutes of executive session shall be kept confidential except from members of the MFRF Pre-9/11 Advisory Committee or as otherwise required by law. Certified copies of minutes or excerpts from any minutes of the open session portion of any MFRF Pre-9/11

Advisory Committee meetings or from any executive session if law permits such disclosure may be furnished by the MFRF Pre-9/11 Advisory Chairman or his/her designee.

9. Committees and Subcommittees

1. The MFRF Pre-9/11 Advisory Committee may establish a standing Emergency MFRF Pre-9/11 Subcommittee to handle expedited requests for assistance for not more than \$3,000¹¹. This body will be made up of five current members of the MFRF Pre-9/11 Advisory Committee, who will be elected by the MFRF Pre-9/11 Advisory Committee and may meet in executive session without prior advanced notice. Three members of the Emergency MFRF Pre-9/11 Subcommittee are required to reach a quorum and to recommend approval of an expedited grant of not more than \$3,000 via e-mail to ADVS staff.
2. The MFRF Pre-9/11 Advisory Committee may establish and maintain standing subcommittees composed of members of the MFRF Pre-9/11 Advisory Committee appointed by the Chairman.

10. Officers and Their Duties

1. The Director of ADVS and/or their designee may attend and participate in all MFRF Pre-9/11 Advisory Committee Meetings.
2. The Chairman, shall preside over meetings of the Committee, call meetings, assign requests for assistance to the special subcommittee as required.
3. The Vice Chairman shall assist the Chairman in performing the duties of the Chairman and will preside at Committee meetings in the absence of the Chairman.
4. In the projected absence of the Chairman and Vice Chairman, the Chairman can appoint an Acting Chair to preside over a meeting.
5. ADVS staff will attend and participate in MFRF Pre-9/11 Advisory Committee meetings as allowed by statute.

11. Amendments

These bylaws shall not be added to, amended or repealed except at a meeting of the MFRF Advisory Committee and by public vote of a majority (seven out of the thirteen members) of all voting members of the MFRF Advisory Committee.

12. Precondition for Receipt of Awards

To be eligible for awards under the Pre-9/11 Arizona Military Family Relief Fund:

- o Veteran & service members of an applying family must have been deceased, wounded or injured or become seriously ill on or before September 11, 2001, been deployed from a military base in Arizona, claimed Arizona as the service member's home of record or been a member of the Arizona Army National Guard, Air National Guard or Reserve component at the time of service, or established residency in Arizona and is able to provide proof of continuous physical presence in Arizona for at least 12 months.

- o Veterans & service members must demonstrate that their current or past military service caused their current financial hardship

- o The Committee may provide awards to an applying family if the service member of the family was deployed on or before September 11, 2001 to include non- injured service members and currently deployed service members.

- o The Committee reserves the right to make exceptions on a case by case basis to the adopted criteria. Exceptions to the adopted criteria must documented with a written explanation.

- o The family must demonstrate a need for financial assistance to be approved for an award.

- o The lifetime award of twenty thousand dollars cannot be claimed for both Pre-9/11 and Post-9/11 related financial hardships. If the applicant meets criteria for both Pre and Post 9/11, then the award will be based on the service that caused the current financial hardship.

o The scheduled meeting date and time is posted in advance in accordance with the Arizona Open Meeting Law at <https://publicmeetings.az.gov/>.

o Applications for assistance are valid for thirty (60) days. Any application pending additional information without a tabling action by the Committee will be considered expired and requires a new submission. Grant awards must be claimed by applicant within 30 days, unless otherwise specified to be received during a specific time.

13. Eligible Expenses

1. Travel and temporary living expenses for families to be with wounded service members while care is being rendered or to attend funerals for service members killed in action

2. Unforeseen financial emergency during service or caused by service member being killed or wounded in action

3. Basic living expense to assist with service related hardships

4. Basic and temporary living expenses are defined as:

a. Housing Expenses – mortgage/rent, repairs, insurance

- b. Vehicle Expenses – payments, insurance, repairs
- c. Utilities – electricity, water, gas, internet and primary phone. Assistance with primary phone is limited to a maximum of \$150.00 per month and does not include equipment charges
- d. Medical Expenses, such as bills and prescriptions
- e. Food, fuel and incidentals. Perishable items, such as groceries, personal needs, gasoline, etc., may be considered as a reimbursable expense by the Advisory Committee or Subcommittee, therefore requiring applicant to submit receipts.

14. Ineligible Hardships and Expenses

Financial assistance cannot be granted for hardships caused by:

- a. Civil, legal or domestic issues and misconduct, including traffic tickets or other fines, or any issues that are a direct result of spousal separation or divorce
- b. Military, VA, GI Bill and/or other Benefit or Entitlement debt or payment issues
- c. Economic issues not related to military service
- d. Financial mismanagement by self or others, or due to bankruptcy
- e. Commercial ventures, investments, etc. (including losses)
- f. Credit cards, military charge cards or retail store cards
- g. Personal, student or payday loans
- h. Unsecured debt, including debt owed to a friend/family member
- i. Military debt, VA debt or other Benefit debt
- j. Negative bank accounts, including overdraft fees and charges
- k. Cable/Satellite TV
- l. Income tax liabilities
- m. Legal expenses (on a case by case basis)
- n. Electronic equipment, etc.
- o. Down payments homes, vehicles or other assets
- p. Bills obviously due to mismanagement

15. Grant Solicitation and Application Form

1. MFRF Grant Process has been excused by the Arizona Attorney General's Office from A.R.S. § 41-2702, which requires a state government unit to issue a request for grant applications. MFRF is therefore able to accept grant applications at any time.

2. MFRF applications will be distributed statewide via:

- a. ADVS Website
- b. ADVS Veterans Benefits Counselors
- c. Veterans Affairs Medical Centers
- d. Veterans Affairs Regional Offices
- e. Veterans Service Organizations
- f. Non-profit organizations serving military members, veterans and their families
- g. All military installations in the state

16. Confidentiality and Conflict of Interest

1. Applicant information is confidential by statute. Each member must execute a written conflict of interest and confidentiality statement prior to participation in the MFRF Grant Process as described within these bylaws.

17. Application Receipt, Documentation, Review, Recommendations, Decision and Payment

1. To receive consideration for an award, individuals must submit a MFRF application to ADVS, 3839 N 3rd St., Ste 209, Phoenix, AZ 85012, FAX to 602-297-6684 or email to mfrf@azdvs.gov.
2. ADVS staff will establish a working case file for each application.
3. ADVS staff will screen incoming applications to ensure all pertinent information is included and may contact the applicant as necessary.
4. Once the completed application is received and processed, the application will be submitted to the MFRF Advisory Committee or Subcommittee for consideration.
 - a. An application for assistance that is urgent and/or the potential award is \$3000 or less will be forwarded to the Subcommittee for immediate consideration.
 - b. Applications not requiring immediate consideration will be added to the agenda of the next regular Committee meeting.
 - c. In the event ADVS staff has questions regarding the applicability/eligibility of an application, the staff will forward the application to the Chairman or Vice Chairman for decision.
5. Total cumulative awards are limited to twenty thousand dollars per applicant.
6. Applications and the Committee's recommendation to approve or disapprove all or part of each application will be forwarded to ADVS Deputy Director for review and final approval or disapproval.
7. Grant applicants will be notified of the award decision in writing and by telephone, if possible, by ADVS staff.
8. Approved awards will be processed by ADVS Financial Services Division.

18. Appeals Process

1. A grant decision is considered final thirty days after written notification has been provided to the applicant. For grant applications denied or modified, the written notification will inform applicants of their right to appeal the decision and the appeals process.

2. Grant applicants may appeal the denial or modification of their award decision within thirty days of receipt of their decision letter. An applicant must submit a written notice of appeal to the ADVS Director. The written notice shall include a concise statement of the reasons for the appeal.

3. The ADVS Director will review the appeal and application history and determine whether to approve or deny the appeal. The ADVS Director's decision is ADVS's final decision regarding the grant application .

4. If the appeal is denied by the ADVS Director, the applicant will receive instructions for appealing the ADVS Director's decision to the Director of the Department of Administration in their appeal denial letter.

5. The Department of Administration will resolve an appeal of the ADVS Director's decision in accordance with the rules of procedure adopted by the Director of Administration pursuant to A.R.S. §41-2611 and in accordance with §41-1092.01 et seq.