

JAN 17 2007

A BILL FOR AN ACT

RELATING TO VETERAN BURIAL GRANTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that a Filipino veteran
2 of the New Filipino Scouts who enlisted between October 6, 1945,
3 and June 30, 1947, who died after June 30, 1994, and who was, at
4 the time of the veteran's death, a United States citizen and a
5 resident of the State of Hawaii, is entitled to receive a burial
6 grant from the office of veterans' services to pay for the cost
7 of:

8 (1) Providing funeral and burial services for the deceased
9 veteran; and

10 (2) Transporting the remains of the deceased veteran to
11 the Philippines.

12 To qualify for this burial grant, however, the Filipino
13 veteran's survivor or an interested party must produce an
14 itemized paid invoice showing the specific services rendered on
15 behalf of the deceased veteran. However, because of the
16 tremendous upfront costs associated with funeral and burial
17 services as well as transportation to the Philippines, some



1 World War II Filipino veterans, and their families and friends,
2 cannot afford to pay for these activities in advance.
3 Consequently, some World War II Filipino veterans will not be
4 able to qualify for these burial grants from the office of
5 veterans' services. Because of these financial constraints, the
6 bodies of some deceased veterans were not properly buried until
7 the deceased veteran's survivor or interested parties raises the
8 necessary funds to pay for funeral and other related services.

9 The legislature further finds that under the Veterans
10 Benefits and Health Care Improvement Act of 2000 (Public Law
11 106-419), many of the Filipino World War II veterans previously
12 eligible to participate in the state office of veterans'
13 services program regarding transportation of remains to the
14 Philippines are now eligible to be interred in state and federal
15 veterans' cemeteries. Therefore, in fairness to those veterans'
16 survivors who are not offered reimbursement for such
17 transportation costs, the payments made under this Act are
18 properly limited to only those veterans of the New Filipino
19 Scouts who are not eligible for interment in state and federal
20 veterans cemeteries under the Veterans Benefits and Health Care
21 Improvement Act of 2000.



1 This Act requires the office of veterans' services to
2 provide an alternative to the procedures currently specified in
3 the rules of the office of veterans' services, which only apply
4 in situations where a deceased Filipino veteran's survivor or an
5 interested party has already paid for services rendered on
6 behalf of the deceased veteran, or in situations where the
7 deceased veteran may have purchased a pre-paid funeral and
8 burial plan.

9 The purpose of this Act is to pay no more than \$2,500 per
10 veteran, under the veterans' burial grant program, a mortuary or
11 crematory directly for:

- 12 (1) Providing funeral and burial services at the request
13 of a qualifying deceased Filipino veteran's survivor
14 or an interested party; and
- 15 (2) Transporting the veteran's remains to the Philippines,
16 upon the submission of a contract for services on
17 behalf of the deceased veteran and an itemized unpaid
18 invoice.

19 SECTION 2. Chapter 363, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§363- Disbursement of World War II Filipino veterans

2 burial grant funds. (a) At the request of a deceased Filipino
3 veteran's survivor or an interested party, the office shall
4 receive, review, and, as appropriate, approve requests for
5 payments for:

6 (1) Providing funeral and burial services for a New
7 Filipino Scout who died after June 30, 1994; and

8 (2) Transporting the remains of a New Filipino Scout to
9 the Philippines.

10 (b) The office shall establish the amount of burial grant
11 funds that may be disbursed on behalf of a New Filipino Scout;
12 provided that the amount shall not exceed \$2,500 per person.

13 (c) The office shall not expend more than the amount
14 appropriated for the fiscal year to provide burial grants for
15 deceased World War II Filipino veterans.

16 (d) The office shall establish specific eligibility
17 criteria, application and appeal procedures, service choices,
18 and invoicing arrangements.

19 (e) The office shall authorize payment upon the submission
20 of an invoice reflecting services that have been satisfactorily
21 performed on behalf of a New Filipino Scout.



1 (f) As used in this section, "New Filipino Scout" means a
 2 Filipino veteran who served during World War II, enlisted in the
 3 New Filipino Scouts between October 6, 1945, and June 30, 1947,
 4 and who at the time of the veteran's death, was a United States
 5 citizen and a resident of Hawaii."

6 SECTION 3. There is appropriated out of the general
 7 revenues of the State of Hawaii the sum of \$, or so much
 8 thereof as may be necessary for fiscal year 2007-2008, and the
 9 same sum, or so much thereof as may be necessary for fiscal year
 10 2008-2009, for burial grant funds for deceased Filipino
 11 veterans.

12 The sums appropriated shall be expended by the department
 13 of defense, office of veterans' services for the purposes of
 14 this Act.

15 SECTION 4. This Act does not affect rights and duties that
 16 matured, penalties that were incurred, and proceedings that were
 17 begun, before its effective date.

18 SECTION 5. New statutory material is underscored.

19 SECTION 6. This Act shall take effect upon its approval;
 20 provided that section 3 shall take effect on July 1, 2007.

21

INTRODUCED BY:

Clarence K. Iseihara

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freedom



Report Title:

Veterans Cemetery; Filipino Veterans

Description:

Requires office of veterans' services to pay directly to a mortuary for services and to transport the remains of a deceased veteran who joined the New Filipino Scouts between 10/6/1945, and 6/30/1947, and died after 6/30/1994, to the Philippines upon submission of an unpaid invoice. Appropriates \$.

