

JAN 23 2009

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# 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  
18 World War II Filipino veterans, and their families and friends,



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

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

21 This Act requires the office of veterans' services to  
22 provide an alternative to the procedures currently specified in



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

7 The purpose of this Act is to provide payment of up to  
8 \$2,500 per veteran, under the veterans' burial grant program, to  
9 a mortuary or crematory directly for:

10 (1) Providing funeral and burial services at the request  
11 of a qualifying deceased Filipino veteran's survivor  
12 or an interested party; and

13 (2) Transporting the veteran's remains to the Philippines,  
14 upon the submission of a contract for services on  
15 behalf of the deceased veteran and an itemized unpaid  
16 invoice.

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

20 "§363- Disbursement of World War II Filipino veterans  
21 burial grant funds. (a) At the request of a deceased Filipino  
22 veteran's survivor or an interested party, the office shall



1 receive, review, and, as appropriate, approve requests for  
2 payments for:

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

5 (2) Transporting the remains of a New Filipino Scout to  
6 the Philippines.

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

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

13 (d) The office shall establish specific eligibility  
14 criteria, application and appeal procedures, service choices,  
15 and invoicing arrangements.

16 (e) The office shall authorize payment upon the submission  
17 of an paid and itemized invoice or invoices reflecting funeral  
18 and burial services, and transportation of remains; provided  
19 that these services were performed satisfactorily on behalf of a  
20 New Filipino Scout.

21 (f) As used in this section, "New Filipino Scout" means a  
22 Filipino veteran who served during World War II, enlisted in the



1 New Filipino Scouts between October 6, 1945, and June 30, 1947,  
 2 and who at the time of the veteran's death, was a United States  
 3 citizen and a resident of Hawaii."

4 SECTION 3. There is appropriated out of the general  
 5 revenues of the State of Hawaii the sum of \$ or so much  
 6 thereof as may be necessary for fiscal year 2009-2010 and the  
 7 same sum or so much thereof as may be necessary for fiscal year  
 8 2010-2011 for burial grant funds for deceased Filipino veterans.

9 The sums appropriated shall be expended by the department  
 10 of defense, office of veterans' services for the purposes of  
 11 this Act.

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect upon its approval;  
 14 provided that section 3 shall take effect on July 1, 2009.

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INTRODUCED BY: Will Eyo  
Justin  
Chunhua, Sa



**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 10/06/1945, and 06/30/1947, and died after 06/30/1994, to the Philippines upon submission of an unpaid invoice. Appropriates funds.

