

S.B. NO. 1317

JAN 23 2025

A BILL FOR AN ACT

RELATING TO VETERANS CEMETERIES.

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

1 SECTION 1. The purpose of this bill is to establish the
2 veterans cemeteries board, composed of representatives from
3 federal, state, and county departments and agencies, to provide
4 veterans cemeteries in the State with guidance, education,
5 technical assistance, and other support to ensure compliance
6 with standards set by the National Cemetery Administration of
7 the United States Department of Veterans Affairs.

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

11 "§363- Veterans cemeteries board. (a) There shall be
12 established the veterans cemeteries board within the office in
13 the department of defense for administrative purposes only. The
14 main responsibilities of the veterans cemeteries board shall be
15 as follows:

16 (1) Identify compliance issues faced by veterans
17 cemeteries in the State, resources needed, and
18 challenges encountered by departments or agencies that

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1 manage veterans cemeteries and work collaboratively to
2 resolve issues;

3 (2) Devise solutions to address the issues identified
4 under paragraph (1) and implement the solutions
5 through a cross-representation of the state and county
6 departments and agencies on the board;

7 (3) Seek resource solutions including funding, legislative
8 initiatives, and inter-governmental program support;
9 and

10 (4) Interact and invite interested community agencies,
11 organizations, stakeholders, and concerned veterans
12 and citizens to participate in discussions and board
13 meetings.

14 (b) The veteran cemeteries board shall be comprised of the
15 following members:

16 (1) The director, or the director's designee, who shall
17 serve as the chairperson of the board;

18 (2) A representative of the National Memorial Cemetery of
19 the Pacific by invitation of the director;

20 (3) The director of the department within the county of
21 Maui responsible for operating and maintaining the

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1 county's veterans cemeteries, or the director's
2 designee;

3 (4) The director of the department within the county of
4 Hawaii responsible for operating and maintaining the
5 county's veterans cemeteries, or the director's
6 designee;

7 (5) The director of the department within the county of
8 Kauai responsible for operating and maintaining the
9 county's veterans cemeteries, or the director's
10 designee; and

11 (6) The cemetery operations manager of the Hawaii state
12 veterans cemetery, or the manager's designee.

13 The members of the veterans cemeteries board shall serve
14 without compensation but may be reimbursed for necessary
15 expenses, including travel expenses, incurred in the performance
16 of their duties. A majority of the members of the veterans
17 cemeteries board shall constitute a quorum for the conduct of
18 business of the board. A majority vote of the members present
19 at a meeting at which a quorum is established shall be necessary
20 to validate any action of the veterans cemeteries board.

21 (c) The veterans cemeteries board shall develop and make
22 recommendations to meet compliance standards set by the National

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1 Cemetery Administration of the United States Department of
2 Veterans Affairs. In developing the recommendation, the
3 veterans cemeteries board shall create, develop, and adopt a
4 statewide framework, which shall include:

5 (1) A clear understanding of compliance standards for
6 cemetery grounds and maintenance set by the National
7 Cemetery Administration;

8 (2) Strategies and recommendations for grounds and
9 maintenance best practices to address the varying
10 challenges and conditions of each cemetery location;

11 and

12 (3) A standardized system of data collection and
13 information sharing to support the intergovernmental
14 efforts of the board.

15 (d) The office shall provide necessary staff and other
16 support required by the veterans cemeteries board for the
17 performance of its duties."

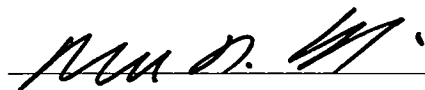
18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

20

21

INTRODUCED BY:



22

BY REQUEST

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Report Title:

DOD; OVS; Veterans Cemeteries Board; Veterans Cemeteries

Description:

Establishes the Veterans Cemeteries Board within the Office of Veterans Services of the Department of Defense to provide veterans cemeteries in the State with guidance, education, technical assistance, and other support to ensure compliance with standards set by the National Cemetery Administration of the United States Department of Veterans Affairs.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO VETERANS CEMETERIES.

PURPOSE: To establish the Veterans Cemeteries Board, composed of representatives from federal, state, and county departments and agencies, to provide veterans cemeteries in the State with guidance, education, technical assistance, and other support to ensure compliance with standards set by the National Cemetery Administration of the United States Department of Veterans Affairs (VA).

MEANS: Add a new section to chapter 363, Hawaii Revised Statutes (HRS).

JUSTIFICATION: The Office of Veterans Services (OVS) is responsible for all state veterans cemeteries; however, the OVS Director does not have the authority for the establishment and maintenance of those cemeteries. Pursuant to section 363-5, HRS, county councils are responsible for the burial of service members, veterans, and their dependents. The councils of the counties of Hawaii, Kauai, and Maui each provide for the establishment of the veterans cemetery or cemeteries to be located within their respective counties, which includes grading, filling, leveling, platting, paving of roadways and walks, installation of curbs, building of fences, planting of grass, trees and shrubs, erection of memorial buildings and monuments, and building of other necessary or convenient structures. The county councils are also responsible for making provisions for the maintenance and upkeep of the cemetery or cemeteries.

The standards for the maintenance and upkeep of the veterans cemeteries are established by the National Cemetery Administration, and

historically there have been difficulties among the counties at various times to meet and/or maintain compliance standards. In correspondence from the VA Undersecretary for Memorial Affairs to Governor Josh Green dated August 1, 2023, the VA strongly recommended maintaining cemetery responsibilities at the state level rather than with the counties, as originally proposed by Governor David Ige in an October 5, 2021, letter to the VA Undersecretary Matthew Quinn.

The establishment of the Veterans Cemeteries Board, with representatives from all county departments with cemetery responsibilities and oversight by the Hawaii OVS, will provide administrative oversight and help develop and make recommendations to meet compliance standards set by the National Cemetery Administration at minimal cost to the State.

Impact on the public: The Veterans Cemeteries Board will seek to identify challenges proactively and foster inter-departmental collaboration to resolve issues that will provide Hawaii veterans with state veteran cemeteries that meet VA standards and also maintain eligibility to receive federal funding for cemetery upgrades and improvements. The board will invite and interact with interested community agencies, organizations, stakeholders, and concerned veterans and citizens to participate in discussions and board meetings.

Impact on the department and other agencies: The bill will positively impact the Department and Hawaii OVS by providing an additional mechanism to meet VA cemetery standards. There are no known negative impacts to other county or state departments.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: DEF 112.

OTHER AFFECTED
AGENCIES: Hawaii County; the County of Maui; and the
County of Kauai.

EFFECTIVE DATE: Upon approval.