

ACT 100

H.B. NO. 831

A Bill for an Act Relating to Veteran Burial Grants.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that a World War II Filipino veteran who died after June 30, 1994, and who was, at the time of the veteran's death, a United States citizen and a resident of the State of Hawaii, is entitled to receive a burial grant from the state office of veterans' services to pay for the cost of:

- (1) Providing funeral and burial services for the deceased veteran; and
- (2) Transporting the remains of the deceased veteran to the Philippines.

To qualify for this burial grant, however, the World War II Filipino veteran's survivor or an interested party must produce an itemized paid invoice showing the specific services rendered on behalf of the deceased veteran. Because of the tremendous costs required to procure funeral and burial services, as well as the cost of transportation to the Philippines, some World War II Filipino veterans, including the families and friends of these veterans, cannot afford to pay for these activities in advance. Consequently, some World War II Filipino veterans will not be able to qualify for burial grants from the office of veterans' services because they cannot pay upfront costs associated with funeral, burial, and transportation services to be reimbursed at a later time. Because of these financial constraints, the bodies of some deceased veterans could not be properly buried until the deceased veteran's survivor or interested parties raised the necessary funds to pay the mortuary for funeral and other related services.

The legislature further finds that under the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419), many World War II Filipino veterans previously eligible to participate in the state office of veterans' services program regarding transportation of remains to the Philippines are now eligible to be interred in state and federal veterans' cemeteries. Therefore, in fairness to other veterans' survivors, the payments made under this Act are properly limited to only those World War II Filipino veterans who are not eligible for interment in state and federal veterans cemeteries under the Veterans Benefits and Health Care Improvement Act of 2000.

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

The purpose of this Act, through the veterans' burial grant program, is to pay directly to a mortuary or crematory the cost of:

- (1) Providing funeral and burial services at the request of a qualifying deceased World War II Filipino veteran's survivor or an interested party; and
- (2) Transporting the veteran's remains to the Philippines,

upon the submission of a contract for services on behalf of the deceased veteran and an itemized unpaid invoice. The amount paid for funeral and burial services and transportation costs shall not exceed \$2,000 per person.

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

“§363- Disbursement of World War II Filipino veterans burial grant funds. (a) At the request of a deceased World War II Filipino veteran's survivor or an interested party, the office shall receive, review, and, as appropriate, approve requests for payments to:

- (1) Provide funeral and burial services for a World War II Filipino veteran who died after June 30, 1994; and
- (2) Transport the remains of that World War II Filipino veteran to the Philippines.

(b) The office shall establish the amount of burial grant funds that may be disbursed on behalf of a World War II Filipino veteran; provided that the amount shall not exceed \$2,000 per person.

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

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(d) Specific eligibility criteria, application and appeal procedures, service choices, and invoicing arrangements shall be established by the office.

(e) Payment shall be authorized by the office upon the submission of an itemized unpaid invoice reflecting services that have been satisfactorily performed on behalf of a deceased World War II Filipino veteran.

(f) As used in this section, "World War II Filipino veteran" means a Filipino veteran who enlisted in World War II between October 6, 1945, and June 30, 1947, and who, at the time of the veteran's death, was a United States citizen and a resident of the State of Hawaii."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000 or so much thereof as may be necessary for fiscal year 2007-2008 for burial grant funds for deceased World War II Filipino veterans.

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

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval; provided that section 3 shall take effect on July 1, 2007.

(Approved May 25, 2007.)

Note

1. Edited pursuant to HRS §23G-16.5.