

---

---

# A BILL FOR AN ACT

RELATING TO VETERANS.

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

1           SECTION 1. Section 363-5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§363-5 Councils' responsibility; burial of [servicemen,]~~  
4 service members, veterans, and dependents. (a) The councils of  
5 the counties of Hawaii, Kauai, and Maui shall each provide for  
6 the establishment of the veterans cemetery or cemeteries to be  
7 located within their respective counties; which includes  
8 grading, filling, leveling, platting, paving of roadways and  
9 walks, installation of curbs, building of fences, planting of  
10 grass, trees and shrubs, erection of memorial buildings and  
11 monuments, and building of other necessary or convenient  
12 structures, and shall make provisions for the maintenance and  
13 upkeep of [~~such~~] the cemetery or cemeteries. The councils shall  
14 each provide for the interment of the remains [~~7~~] of:

15           (1) [~~residents or former residents of their respective~~  
16            counties] Service members who died while in the armed  
17            forces of the United States [~~7~~ and] i



- 1           (2) ~~[of honorably discharged veterans of the armed forces~~  
2           ~~of the United States with either peacetime or wartime~~  
3           ~~service and who are residents of their respective~~  
4           ~~counties at the time of death, or who were former~~  
5           ~~residents, and] Eligible veterans who entered military~~  
6           ~~service after September 7, 1980, as an enlisted~~  
7           ~~person, or after October 16, 1980, as an officer, and~~  
8           ~~served a minimum of twenty-four continuous months or~~  
9           ~~the full period for which the person was called to~~  
10           ~~active duty, as in the case of a reservist;~~  
11          (3) ~~[of the widows, widowers, or minor children of such~~  
12           ~~deceased servicemen or veterans, and] Eligible~~  
13           ~~veterans who were discharged under conditions other~~  
14           ~~than dishonorable of the armed forces of the United~~  
15           ~~States with either peacetime or wartime service; and~~  
16          (4) ~~[of the] The wife, husband, [~~or~~] minor children, or~~  
17           ~~unmarried disabled adult children, who predecease a~~  
18           ~~[serviceman] service member or veteran who would be~~  
19           ~~[himself] entitled to interment [provided that he must~~  
20           ~~subscribe to a statement that he himself will be so~~  
21           ~~interred in the same], in any state veterans~~



1 cemetery [~~and provided further that as to former~~  
2 ~~residents, the~~].

3 The cost of transportation of the remains to the county of  
4 interment shall be borne by the family or estate of the  
5 deceased.

6 (b) The determination of eligibility for burial within any  
7 state veterans' cemetery shall be in accordance with current  
8 Veterans Affairs and National Cemeteries Administration  
9 Regulations."

10 SECTION 2. Section 363-7, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 "**§363-7 Burial of nonresident servicemen and dependents.**

13 (a) Any law to the contrary notwithstanding the remains of  
14 nonresident servicemen or nonresident honorably discharged  
15 veterans of the armed forces of the United States, and the  
16 remains of the widows, widowers, or minor children of the  
17 deceased servicemen or veterans, or the remains of the wives,  
18 husbands, or minor children who predecease the servicemen or  
19 veterans, may, at the discretion of the legislative bodies of  
20 the respective counties, be interred in the cemetery or  
21 cemeteries as established herein.



1        (b) From July 1, 2012, to June 30, 2015, subsection (a)  
2        shall not be in effect."

3        SECTION 3. Statutory material to be repealed is bracketed  
4        and stricken. New statutory material is underscored.

5        SECTION 4. This Act shall take effect on July 1, 2012;  
6        provided that on June 30, 2015, this Act shall be repealed and  
7        sections 363-5 and 363-7, Hawaii Revised Statutes, shall be  
8        reenacted in the form in which they read on the day prior to the  
9        effective date of this Act.



**Report Title:**

Armed Services; Veterans; Burial

**Description:**

Removes the residency requirements for the burial of members of the armed services and their dependents in veterans cemeteries. Establishes criteria consistent with the United States Department of Veterans Affairs eligibility requirements for burial in a national or state cemetery. Repealed June 30, 2015. (SD1)

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

