## A BILL FOR AN ACT

RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE.

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

1 SECTION 1. During World War II, the Philippines was a 2 commonwealth of the United States. Nearly one hundred thousand 3 soldiers of the Philippine Commonwealth Army fought alongside 4 United States and Allied forces for four long years to defend 5 and reclaim the Philippine islands from foreign aggression. 6 Valiant Filipino soldiers fought, suffered, and died in some of 7 the bloodiest battles of World War II defending beleaguered 8 Bataan and Corregidor and thousands of Filipino prisoners of war 9 endured the infamous Bataan Death March and years of captivity. 10 The sacrifices of Filipino soldiers played a vital role in 11 the Allied victory in the Pacific as their numerous guerrilla 12 actions provided United States forces with time to build and 13 prepare for the Allied counterattack. Filipino soldiers fought 14 side-by-side with United States forces to secure their island 15 nation as the strategic base from which the Allied forces 16 launched their final effort to bring an end to World War II.



## H.B. NO. 1944

1 Although Filipino soldiers exhibited tremendous courage and 2. risked their lives to win the war in the Pacific, many of these 3 soldiers were denied full veterans benefits, including burial 4 benefits, which had been promised to them by the United States. 5 While Filipino soldiers meeting specific requirements were 6 eventually provided with burial benefits at national and state 7 veterans cemeteries at no cost, similar to other veterans of the 8 United States Armed Forces, the wish of some Filipino soldiers 9 living in Hawaii is that their remains be returned to their 10 homeland. However, this benefit of returning the remains of 11 Filipino soldiers to their homeland for burial has not been 12 provided to them.

13 Many Filipino veterans have unsuccessfully petitioned for 14 decades to have their relatives granted residence in Hawaii. 15 These veterans are elderly and, with each passing year, the 16 veterans are dying in Hawaii without the comfort of family 17 members at their side. Furthermore, the cost of transporting 18 their remains for burial in the Philippines increases as time 19 passes. Accordingly, the legislature provided for burial grants 20 to be given to qualifying Filipino veterans to honor their final 21 wishes and assist with the return of their remains to their



## H.B. NO. 1944

1 homeland for burial. The legislature further finds that the
2 State has a diminishing number of burial plots and providing
3 burial grants to qualified Filipino veterans to return their
4 remains to the Philippines will allow the State to accommodate
5 many other veterans who are eligible to be buried at a federal
6 or state cemetery at no cost.

7 The Veterans Administration currently pays the full cost of 8 burial benefits for World War II veterans; however, federal law 9 fails to address the costs of transporting the remains of 10 Filipino veterans to, and burial services in, the Philippines. 11 House Concurrent Resolution No. 23, which was adopted by the legislature in 2016, requested Congress to amend the federal law 12 13 to cover the costs of transporting the remains of eligible 14 Filipino-American veterans of World War II to the Philippines 15 and for burial services in the Philippines. However, as of this 16 date, Congress has not taken any action in this regard.

As the number of surviving World War II Filipino veterans continues to dwindle, it is important that their sacrifices be recognized and their final wishes of being buried in their homeland be granted. Due to the unavailability of federal funds for the provision of funds for burials that include repatriation



## H.B. NO. 1944

of remains, it is important for the State to take action and 1 2 dedicate a stable source of funds for this purpose. The 3 legislature authorized an initial appropriation of \$50,000 for 4 repatriation and burial costs for Filipino-American World War II 5 veterans through Act 105, Session Laws of Hawaii 2017. However, 6 unexpended appropriations lapse at the end of each fiscal 7 biennium and revert to the general fund, thereby becoming 8 unavailable for their specified purpose. The legislature finds 9 that a non-lapsing funding source should be established for 10 repatriation and burial costs for Filipino-American World War II 11 veterans so that the funds remain available until they are 12 needed.

13 The purpose of this Act is to establish a stable and 14 dedicated funding source for repatriation and burial costs for 15 Filipino-American World War II veterans by establishing an on-16 going Filipino-American veterans of World War II burial 17 assistance program and a special fund to support the program. 18 SECTION 2. Chapter 363, Hawaii Revised Statutes, is 19 amended by adding two new sections to be appropriately 20 designated and to read as follows:



1	" <u>§363-A</u> Filipino-American veterans of World War II burial
2	assistance program. (a) There is established within the office
3	of veterans services the Filipino-American veterans of World War
4	II burial assistance program. The purpose of the program is to
5	provide burial grants for Filipino-American veterans of World
6	War II, which shall cover the cost of returning the veterans'
7	remains to the Philippines for burial and other funeral and
8	burial costs; provided that:
9	(1) Federal funding remains unavailable for this purpose;
10	and
11	(2) There remain eligible Filipino-American veterans
12	living in the State.
13	(b) The Filipino-American veterans of World War II burial
14	assistance program shall be funded by the Filipino-American
15	veterans of World War II burial assistance program special fund
16	established pursuant to section 363-B.
17	(c) The office of veterans services shall adopt rules
18	pursuant to chapter 91 to effectuate the purposes of this
19	section, including rules to cease the program's operations once
20	there are no eligible Filipino-American World War II veterans
21	remaining in the State.



· 1	<u>§363-B</u> Filipino-American veterans of World War II burial
2	assistance program special fund. (a) There is established
3	within the state treasury the Filipino-American veterans of
4	World War II burial assistance program special fund to be
5	administered by the office of veterans services and into which
6	shall be deposited appropriations by the legislature.
7	(b) The Filipino-American veterans of World War II burial
8	assistance program special fund shall be used for operating
9	expenses of and burial grants provided by the Filipino-American
10	veterans of World War II burial assistance program established
11	under section 363-A. The office of veterans services may make
12	expenditures from the special fund independently of any
13	legislative appropriations from the special fund.
14	(c) The Filipino-American veterans of World War II burial
15	assistance program special fund shall lapse upon cessation of
16	the Filipino-American veterans of World War II burial assistance
17	program pursuant to rules adopted under section 363-A(c) and all
18	unencumbered money remaining in the special fund upon its lapse
19	shall be deposited into the general fund."
20	SECTION 3. There is appropriated out of the general
21	revenues of the State of Hawaii the sum of \$ or so much



÷.

6

Page 6

# H.B. NO. *1944*

1 thereof as may be necessary for fiscal year 2018-2019 for deposit into the Filipino-American veterans of World War II 2 burial assistance program special fund established under section 3 4 2 of this Act; provided that funds appropriated and unencumbered 5 as of June 30, 2019, shall not lapse to the credit of the 6 general fund but shall remain available in the special fund for 7 the purposes of section 363-A, Hawaii Revised Statutes. 8 SECTION 4. There is appropriated out of the Filipino-9 American veterans of World War II burial assistance program 10 special fund the sum of \$ or so much thereof as may be 11 necessary for fiscal year 2018-2019 for burial grants for Filipino-American veterans of World War II, which shall cover 12 13 the cost of returning the veterans' remains to the Philippines 14 for burial and other funeral and burial costs; pursuant to the requirements of section 363-A, Hawaii Revised Statutes. 15

16 The sum appropriated shall be expended by the office of17 veterans services for the purposes of this Act.

18 SECTION 5. In codifying the new sections added by section 19 2 of this Act, the revisor of statutes shall substitute 20 appropriate section numbers for the letters used in designating 21 the new sections in this Act.



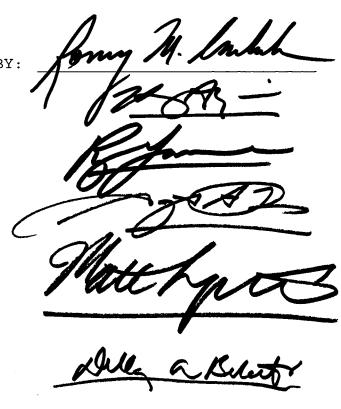
3

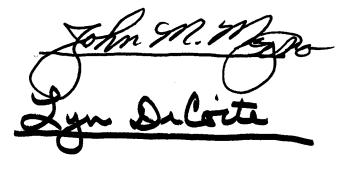
# H.B. NO. 1944

- SECTION 6. New statutory material is underscored. 1
- SECTION 7. This Act shall take effect on July 1, 2018. 2

INTRODUCED BY:

Heharlune





JAN 1 9 2018



### Report Title:

Filipino-American World War II Veterans; Burial Grants; Special Fund; Appropriation

#### Description:

Establishes the Filipino-American Veterans of World War II burial assistance program. Establishes the Filipino-American veterans of World War II burial assistance program special fund. Makes an appropriation.

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

