

ACT 197

H.B. NO. 1564

A Bill for an Act Relating to Veterans.

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

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

“§363-5 Councils’ responsibility; burial of service members, veterans, and dependents[.]; office of veterans’ services approval. (a) The councils of the counties of Hawaii, Kauai, and Maui shall 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, erec-

tion of memorial buildings and monuments, and building of other necessary or convenient structures, and shall make provisions for the maintenance and upkeep of the cemetery or cemeteries. The councils shall each provide for the interment of the remains, of:

- (1) Service members who died while in the armed forces of the United States;
- (2) Eligible veterans who entered military service after September 7, 1980, as an enlisted person, or after October 16, 1980, as an officer, and served a minimum of twenty-four continuous months or the full period for which the person was called to active duty, as in the case of a reservist;
- (3) Eligible veterans who were discharged under conditions other than dishonorable of the armed forces of the United States with either peacetime or wartime service; and
- (4) The wife, husband, minor children, or unmarried disabled adult children, who predecease a service member or veteran who would be entitled to interment, in any state veterans cemetery.

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

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

(c) Prior to any county action that may:

- (1) Have an adverse financial impact upon the State's fiscal obligation to establish and maintain veterans cemeteries; or
- (2) Impair or conflict with federal requirements that are a prescribed condition for the allocation of federal funds,

the county shall obtain approval of the action from the office of veterans' services. In the event of any disagreement between any county and the office of veterans' services over whether this subsection applies, the decision of the office of veterans' services shall control."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2014.

(Approved July 1, 2014.)