

By Mr. Rodrigues of Westport, petition of Michael J. Rodrigues for legislation to further regulate burial benefits for veterans. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT FURTHER REGULATING VETERANS' BURIAL BENEFITS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 7. Section five A of said chapter one hundred and
2 fifteen is hereby repealed.

1 SECTION 8. Section 6B of said chapter 115, as so appearing, is
2 hereby amended by striking out in lines 19 and 26, the words
3 "five hundred", and inserting in place thereof, in each instance,
4 the following words:— one thousand.

1 SECTION 9. Section 7 of said chapter 115, as so appearing, is
2 hereby amended by striking out in line 11, the word "thirty", and
3 inserting in place thereof the following word:— sixty.

1 SECTION 10. Said chapter 115 is hereby further amended by
2 striking out section 8 and inserting in place thereof the following
3 section:—

4 Section 8. Amounts expended by the burial agent under the
5 provisions of section seven shall not exceed fifteen hundred dol-
6 lars for the funeral and burial of any person under this chapter,
7 provided that the cost of funeral and burial does not exceed two
8 thousand dollars and there are insufficient resources in the estate
9 of said person to pay for the cost of such funeral and burial. Any
10 resources of said person shall be deducted from the maximum cost
11 of the funeral and burial allowance hereunder and the difference,

12 subject to the limitation set forth in this paragraph, shall be paid
13 by the burial agent. No city or town shall be reimbursed under this
14 section for any amount so expended for any single burial if the
15 total expense of said burial, exclusive of the purchase price of the
16 grave, the cost of the grave opening and the cost of a cement vault
17 liner, if one is required by the cemetery regulations, by whomso-
18 ever incurred, exceeded five hundred dollars for a child under the
19 age of seven, or one thousand dollars for any other person. The
20 burial shall not be made in any cemetery or burial ground used
21 exclusively for the burial of persons under the provisions of
22 chapter one hundred and seventeen, or in any part of any cemetery
23 or burial ground so used. Relatives of the deceased who are
24 unable to bear the expense of burial may be allowed to conduct
25 the funeral. The full amount so expended, the name of the
26 deceased, and, if he was a veteran, the regiment, company, station,
27 organization or vessel in which he served, the date of death, place
28 of interment, and if the deceased was a wife or widow the name of
29 her husband and date of her marriage, and if the deceased was a
30 dependent child, the name of the veteran, and such other details as
31 the commissioner may require, shall be certified on oath to him in
32 such manner as he may approve, by the burial agent and the trea-
33 surer of the city or town expending the amount, within three
34 months after the burial; the commissioner shall endorse upon the
35 certificate his allowance of such amounts as he finds have been
36 paid and reported according to the foregoing provisions, and shall
37 transmit the certificate to the comptroller. Seventy-five per cent of
38 the amounts so paid and allowed for burial expenses of veterans
39 or dependents by the cities and towns wherein they reside shall be
40 paid by the commonwealth to the several cities and towns on or
41 before November tenth in the year after the expenditures have
42 been made. Notwithstanding the requirements as to residence as
43 set forth in section five, the commissioner may authorize the
44 burial agent of any city or town to arrange for the proper inter-
45 ment of the body of any indigent veterans who die within the
46 commonwealth.