

SENATE BILL REPORT

SB 5481

As of February 3, 2009

Title: An act relating to veterans' burials.

Brief Description: Concerning veterans' burials.

Sponsors: Senators Marr, Becker, Hobbs, Haugen, Franklin, Parlette, Eide, Rockefeller, Hatfield, Jarrett, Jacobsen, Kilmer, Berkey, Tom, Swecker, King, Kastama, Shin, McDermott, Prentice, Fairley, Holmquist, Brandland, McCaslin, Ranker, McAuliffe, Roach, Honeyford and Kauffman.

Brief History:

Committee Activity: Government Operations & Elections: 2/03/09.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Edward Redmond (786-7471)

Background: A person or entity in lawful possession of unclaimed human remains for a period of 90 days or more may dispose of the remains. The disposition of the unclaimed human remains must be in accordance with the rules adopted by the Washington State Cemetery Board and the Board of Funeral Directors and Embalmers.

The Department of Veterans Affairs (DVA) uses various records and databases to determine whether a decedent is eligible for interment at a state or federal veterans' cemetery. An individual must be a United States veteran discharged under conditions other than dishonorable, a veteran's spouse, or a veterans' dependent child to be eligible for interment at the National Veterans' Cemetery or Washington State Veterans' Cemetery.

Summary of Bill: Any deceased veteran, veteran's spouse, or veteran's dependent child that is certified by the DVA as eligible for interment at a federal or state veterans' cemetery must be transferred from the person or entity in possession of such human remains to the custody of the DVA. The person or entity transferring the human remains to the DVA is immune from any liability associated with such transfer. The state, its employees, and agents are also immune from any liability related to the transfer of such human remains to the DVA.

Appropriation: None.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: In April 2008 DVA learned that a significant amount of unclaimed veterans remained in the possession of funeral homes and were not given proper military burials. This bill establishes a collaborative process, between DVA and funeral directors, to transfer veterans and provide them with proper burials.

Persons Testifying: PRO: John Lee, Director, Washington State Department of Veterans Affairs.