

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General, Housing, and Military Affairs to which was
3 referred House Bill No. 394 entitled “An act relating to the disposition of the
4 remains of veterans” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 20 V.S.A. § 1586 is added to read:

8 § 1586. INTERMENT OF UNCLAIMED REMAINS OF VETERANS

9 The Vermont Veterans Memorial Cemetery shall accept and inter the
10 unclaimed remains of an eligible veteran if:

11 (1) a funeral director or crematory operator has determined pursuant to
12 18 V.S.A. § 5227(c)(2) that interment of the veteran’s remains in the Cemetery
13 is appropriate; or

14 (2) the Office of the Chief Medical Examiner has determined pursuant
15 to 18 V.S.A. § 5227(d)(4) that interment of the veteran’s remains in the
16 Cemetery is appropriate.

17 Sec. 2. 18 V.S.A. § 5227 is amended to read:

18 § 5227. RIGHT TO DISPOSITION

19 (a) If there is no written directive of the decedent, in the following order of
20 priority, one or more competent adults shall have the right to determine the

1 disposition of the remains of a decedent, including the location, manner, and
2 conditions of disposition and arrangements for funeral goods and services:

3 * * *

4 (9) the funeral director or crematory operator with custody of the body,
5 after attesting in writing that a good faith effort has been made to contact the
6 individuals described in subdivisions (1) through (8) of this subsection; or

7 * * *

8 (c)(1) If the disposition of the remains of a decedent is determined under
9 subdivision (a)(9) of this section and the funeral director or crematory operator
10 has cremated the remains, the funeral director or crematory operator shall
11 retain the remains for three years and, if no interested party as provided in
12 subdivisions (a)(1) through (8) of this section claims the decedent's remains
13 after three years, the funeral director or crematory operator shall arrange for
14 the final disposition of the cremated remains consistent with any applicable
15 law and standard funeral practices.

16 (2) Notwithstanding any provision of subdivision (1) of this subsection
17 to the contrary, a funeral director or crematory operator may determine that the
18 unclaimed cremated remains of a deceased veteran shall be interred at the
19 Vermont Veterans Memorial Cemetery pursuant to 20 V.S.A. § 1586 if:

20 (A) at least 180 days have passed since the funeral director or
21 crematory operator cremated the remains;

1 (4) Notwithstanding any provision of subdivision (3) of this subsection
2 to the contrary, the Office of the Chief Medical Examiner may determine that
3 the unclaimed cremated remains of a deceased veteran shall be interred at the
4 Vermont Veterans Memorial Cemetery pursuant to 20 V.S.A. § 1586 if:

5 (A) at least 180 days have passed since the remains were cremated;

6 (B) the Office of the Chief Medical Examiner either:

7 (i) has actual knowledge that there is no interested party as
8 provided in subdivisions (a)(1) through (8) of this section to claim the
9 decedent's remains; or

10 (ii) after making reasonable efforts, has been unable to locate and
11 contact any known interested party as provided in subdivisions (a)(1) through
12 (8) of this section; and

13 (C) the Office of the Chief Medical Examiner has confirmed with the
14 Office of Veterans Affairs that the deceased veteran is eligible to be interred at
15 the Vermont Veterans Memorial Cemetery.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on July 1, 2019.

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE