

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

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

14 § 5227. RIGHT TO DISPOSITION

15 (a) If there is no written directive of the decedent, in the following order of  
16 priority, one or more competent adults shall have the right to determine the  
17 disposition of the remains of a decedent, including the location, manner, and  
18 conditions of disposition and arrangements for funeral goods and services:

19 \* \* \*

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

4                                 \* \* \*

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

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

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

19                 (B) the funeral director or crematory operator either:

1                    (i) has actual knowledge that there is no interested party as  
2 provided in subdivisions (a)(1) through (8) of this section to claim the  
3 decedent's remains; or  
4                    (ii) after making reasonable efforts, has been unable to locate and  
5 contact any known interested party as provided in subdivisions (a)(1) through  
6 (8) of this section; and  
7                    (C) the funeral director or crematory operator has confirmed with the  
8 Office of Veterans Affairs that the deceased veteran is eligible to be interred at  
9 the Vermont Veterans Memorial Cemetery.

10                    \* \* \*

11                    Sec. 3. EFFECTIVE DATE

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

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14  
15  
16  
17                    (Committee vote: \_\_\_\_\_)

18                    \_\_\_\_\_

19                    Representative \_\_\_\_\_

20                    FOR THE COMMITTEE