



HOUSE BILL 178: Maintenance of State Veterans Cemeteries.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 3, 2023
Introduced by:	Reps. Wheatley, Penny	Prepared by:	Karyl Smith
Analysis of:	PCS to Second Edition H178-CSCJ-10		Staff Attorney

OVERVIEW: *House Bill 178 would require the Department of Military and Veterans Affairs (DMVA) to enhance the overall maintenance of the State's four veterans cemeteries, adjust its funeral service policies to accommodate family requests, and submit a report to the House and Senate Chairs of the Joint Legislative Oversight Committee on General Government and to the House Chairs of the Committee on Military and Veterans Affairs.*

The proposed committee substitute (PCS) would remove the appropriation from the bill.

CURRENT LAW & BACKGROUND: The U.S. Department of Veterans Affairs (VA) Veterans Cemetery Grants Program was established in 1978 to complement VA's national cemeteries. The program assists states, territories, and tribal governments in providing gravesites for veterans. Cemeteries funded under the grant program must conform to the standards and guidelines pertaining to site selection, planning, and construction prescribed by VA. The administration, operation, and maintenance of a VA-supported state cemetery is solely the responsibility of the state, territory or tribal government.

There are four VA-grant funded veterans cemeteries in operation in North Carolina: Western Carolina State Veterans Cemetery (Buncombe County), Coastal Carolina State Veterans Cemetery (Onslow County), Sandhills State Veterans Cemetery (Cumberland County), and Eastern Carolina State Veterans Cemetery (Wayne County).

Article 8A of Chapter 65 of the General Statutes governs the DMVA's State Veterans Cemetery Program (Program), which provides a free burial plot at a State veterans cemetery to eligible North Carolina veterans and their legal spouse (and dependents under certain conditions). Veterans must be discharged under honorable conditions and meet certain residency requirements.

In administering the Program, the DMVA has adopted the following funeral service policies:

- Graveside services are not permitted.
- Committal services are held in the chapel or at a committal shelter on the cemetery grounds.
- All services are 30 minutes long.
- Family members and other attendees are required to exit the cemetery when the service ends.
- Family members may return to the gravesite after the burial of the casket or urn is complete and the area is cleared of all equipment and materials.

BILL ANALYSIS: The PCS to H178 would do all of the following:

- Require the DMVA to enhance the overall maintenance of State veterans cemeteries by:

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- Ensuring that all four State veterans cemeteries are staffed by employees who are able to operate and maintain the cemeteries in a manner that honors State veterans and their families.
- Identifying and correcting certain issues at State veterans cemeteries.
- Permitting auxiliary and active military groups and other fraternal organizations, including the Veterans of Foreign Wars, the North Carolina National Guard, and the ROTC, to volunteer to perform maintenance projects at State veterans cemeteries.
- Require the DMVA to review its funeral service policies and adjust them to accommodate family requests.
- Require the DMVA to submit to the House and Senate Chairs of the Joint Legislative Oversight Committee on General Government a report of its findings on the issues identified by the DMVA and any changes made to address those issues as well as any changes made to the burial policies by October 1, 2023.

EFFECTIVE DATE: The bill would become effective when it becomes law.