

[Reformatted into paragraphs 2005-02-07 BEB]
Acts of 1998, Chapter 194 The main Massachusetts Budget bill
Outside Section [put in by the House Ways and Means Committee]

SECTION 169. Said chapter 115 is hereby amended by striking out section 8, as so appearing, and inserting in place thereof the following section:-

Section 8.

Amounts expended by the burial agent under the provisions of section 7 shall not exceed \$2,000 for the funeral and burial of a person under this chapter, provided that the cost of funeral and burial does not exceed \$3,000 and there are insufficient resources in the estate of such person to pay for the cost of such funeral and burial. Any resources of such person shall be deducted from the maximum cost of the funeral and burial allowance hereunder and the difference, subject to the limitation set forth in this paragraph, shall be paid by the burial agent.

No city or town shall be reimbursed under this section for any amount so expended for a single burial if the total expense of such burial, exclusive of the purchase price of the grave, the cost of the grave opening and the cost of a cement vault liner if one is required by the cemetery regulations, by whomsoever incurred, exceeded \$500 for a child under the age of seven or \$900 for any other person.

The burial shall not be made in a cemetery or burial ground used exclusively for the burial of persons under the provisions of chapter 117 or in any part of a cemetery or burial ground so used.

Relatives of the deceased who are unable to bear the expense of burial may be allowed to conduct the funeral.

The full amount so expended, the name of the deceased and, if the deceased was a veteran, the regiment, company, station, organization or vessel in which such veteran served, the date of death, place of interment and, if the deceased was a spouse or widow or widower, the name of such veteran's spouse and date of marriage and, if the deceased was a dependent child, the name of the veteran and such other details as the commissioner may require, shall be certified on oath to said commissioner in such manner as said commissioner may approve, by the burial agent and the treasurer of the city or town expending the amount, within three months after the burial. The commissioner shall endorse upon the certificate the allowance of such amounts as have been paid and reported according to the foregoing provisions and shall transmit the certificate to the comptroller. Seventy-five per cent of the amounts so paid and allowed for burial expenses of veterans or dependents by the cities and towns wherein they reside shall be paid by the commonwealth to the several cities and towns on or before November 10 in the year after the expenditures have been made.

Notwithstanding the requirements as to residence as set forth in section 5, the commissioner may authorize the burial agent of a city or town to arrange for the proper interment of the body of an indigent veteran who dies within the commonwealth.