

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1574 Session of 2011

INTRODUCED BY GIBBONS, K. BOYLE, BRENNAN, CALTAGIRONE, DALEY,
DAVIS, DEASY, DeLUCA, EVERETT, FABRIZIO, FARRY, FLECK,
FREEMAN, GEIST, GEORGE, GOODMAN, HARHAI, HESS, HORNAMAN,
KILLION, KORTZ, MAHONEY, MANN, MARSHALL, MICOZZIE, MILLARD,
MOUL, PASHINSKI, REICHLEY, SAINATO AND STABACK, MAY 23, 2011

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 23, 2011

AN ACT

1 Amending the act of June 11, 1935 (P.L.326, No.149), entitled
2 "An act relating to counties of the first class; defining
3 deceased service persons; providing for contributions by the
4 county to the funeral expenses for such persons and their
5 widows; providing for the erection and care of markers,
6 headstones, and flags, and for the compilation of war
7 records," further providing for markers for graves and
8 headstones.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 5 of the act of June 11, 1935 (P.L.326,
12 No.149), entitled "An act relating to counties of the first
13 class; defining deceased service persons; providing for
14 contributions by the county to the funeral expenses for such
15 persons and their widows; providing for the erection and care of
16 markers, headstones, and flags, and for the compilation of war
17 records," amended June 11, 2008 (P.L.168, No.21), is amended to
18 read:

19 Section 5. Markers for Graves; Headstones.--The county

1 commissioners of any such county of this State shall, from time
2 to time, as is considered expedient by the commissioners,
3 procure appropriate markers for the graves of deceased service
4 persons and the graves of all other deceased persons who served
5 in the Army, Navy, Air Force, Marine Corps, Coast Guard,
6 Merchant Marine during World War II or any organization
7 officially connected therewith and whose separation from such
8 service was honorable, whether by discharge or otherwise. Such
9 markers shall be of cast bronze, which term shall mean a proper
10 composition of the following metals in the following
11 proportions: Copper eighty-five per centum, tin five per centum,
12 zinc five per centum, and lead five per centum, or aluminum or a
13 suitable substitute material.

14 The county commissioners of each county of the first class
15 are hereby authorized and directed to place a marker upon the
16 grave of each deceased service person and the graves of all
17 other deceased persons who served in the Army, Navy, Air Force,
18 Marine Corps, Coast Guard, Merchant Marine during World War II
19 or any organization officially connected therewith and whose
20 separation from such service was honorable, whether by discharge
21 or otherwise, who, at the time of his or her death, had his or
22 her legal residence in the county, whether or not he or she died
23 in the county and whether or not he or she was buried in the
24 county, and upon the grave of each deceased service person
25 buried in the county who at the time of his or her death did not
26 have a legal residence within this Commonwealth. When such
27 deceased service person shall have been a veteran of any war for
28 which the Government of the United States issued discharge
29 buttons, the markers designated for their graves shall include a
30 facsimile of said discharge button. When such deceased service

1 person shall have been a veteran of the Korean Conflict, the
2 markers designated for their graves shall include a circular
3 emblem with the word "Korea, U. S., 1950-1953" in the border
4 thereof, and shall incorporate the insignia of the Army, Navy,
5 Marine Corps, Air Force, and Coast Guard, in the form approved
6 by the Pennsylvania State Veterans' Commission.

7 It shall also be the duty of the county commissioners of such
8 county upon, or at any time subsequent to, the death of any
9 deceased service person who, at the time of his or her death,
10 had his or her legal residence in the county, on application as
11 hereinafter provided, to cause a headstone or bronze memorial
12 tablet to be placed at the head of, or on the grave of, each
13 such deceased service person and the graves of all other
14 deceased persons who served in the Army, Navy, Air Force, Marine
15 Corps, Coast Guard, Merchant Marine during World War II or any
16 organization officially connected therewith and whose separation
17 from such service was honorable, whether by discharge or
18 otherwise. Such headstone shall contain his or her name and the
19 rank and organization to which he or she belonged or in which he
20 or she served in letters raised or cut in at least three-
21 sixteenths of an inch deep. Such headstone shall be of either
22 marble or granite, and to be placed or set in a concrete base at
23 least three feet deep, or if a headstone has been provided for
24 such grave by the United States Government, the county
25 commissioners shall provide such concrete base therefor, or if
26 lettering only on an existing memorial is desired by the family,
27 the county commissioners shall provide such lettering. In the
28 event the body of any deceased service person, either cannot be
29 or will not be returned to the United States of America, it
30 shall be the duty of the county commissioners to cause a

1 headstone to be placed in the family plot of such deceased
2 service person. Said headstone shall have inscribed thereon (a)
3 the name, rank and organization of such deceased service person,
4 (b) the name of the country, location or manner in which such
5 person lost his or her life, and (c) the cemetery or location in
6 which the body, if buried, was finally laid to rest. Application
7 therefor shall in each case be made on forms prescribed by the
8 Department of Military Affairs and may be made by any relative
9 of the deceased service person or by a friend, provided in the
10 latter case there is no objection by the nearest relative and
11 the application is approved by an organization of veterans of
12 any war in which the United States has been, is now or shall
13 hereafter be engaged. The expense in each case shall be borne by
14 the county in which the deceased service person had his or her
15 legal residence at the time of his or her death, whether or not
16 he or she died in the county and whether or not he or she was
17 buried in the county: Provided, however, That the expense shall
18 not exceed the sum of [one hundred dollars (\$100)] two hundred
19 fifty dollars (\$250) for each headstone or concrete base or
20 lettering or bronze memorial tablet, and the county
21 commissioners of each such county, acting under this section,
22 shall draw a warrant on the treasurer of their county for the
23 payment of said expense in favor of the party or parties
24 furnishing such headstone or concrete base or lettering or
25 bronze memorial tablet: Provided, however, That in cases of
26 dispute concerning the legal residence of a deceased service
27 person the county in which a deceased service person is buried
28 shall perform the duties hereinbefore set forth. No such payment
29 or payments shall be made unless the application therefor shall
30 be approved before the commencement of the project by the county

1 commissioners.

2 Section 2. This act shall take effect in 60 days.