

Chapter 163, Laws of 1937, makes it mandatory upon the county commissioners to appoint "A Veterans' Burial Supervisor," preferably an honorably discharged sailor, soldier, marine or nurse.

The duties of the supervisor are to cause to be decently interred the body of the veteran who shall have served in the military forces of the federal government, whether in war or in peace (see Chapter 163, supra), and to report his action to the clerk of the board setting forth all of the facts, together with the name, rank, or command so far as is known to which deceased belonged; the date of death, place of burial and his occupation while living, and also an itemized statement of the expenses incurred by reason of such burial. (Sec. 4538.)

Although Chapter 163 establishes both the minimum and maximum amount of \$150 for burial expenses, such expense report will be an assurance that deceased will have a decent and substantial burial of not less than \$150 value.

Payment of \$150 by the county is mandatory, unless waived or unless the net inventoried and appraised value of the estate exceeds \$2000. Insurance benefits not payable to the estate shall not be computed in determining net values.

Claims before payment should be approved by the supervisor. The supervisor receives no compensation for his services. It shall be the duty of the clerk upon receiving the report of the burial to make application to the proper authorities for a headstone and to cause the same to be properly placed at the grave at a cost to the county not to exceed \$10.00, which sum is additional to the sum of \$150 allowable for burial expenses. (Section 4539.)

The duties of the supervisor are not in derogation of the rights of the widow or next of kin, but should be exercised in cooperation therewith and with the end in view rather of assisting her.

**Opinion No. 285.**

**County Commissioners—  
Soldier Burial.**

HELD: The appointment of a Veterans Burial Supervisor is mandatory upon County Commissioners.

2. It is mandatory upon County Commissioners to pay the fee of \$150, unless the net value of the estate exceeds \$2000, or unless the fee is waived.

3. The Act applies to War Veterans, and others.

May 31, 1938.

Boards of County Commissioners

Dear Sirs:

Because of many requests from service organizations throughout the state for my opinion on an interpretation of the law relating to "Soldiers Burial" I submit to your Honorable Boards the following: