

TITLE 1:
GENERAL PROVISIONS

§ 451. Commonwealth State Funeral: Purpose.

The purpose of this article is to provide special funeral ceremonies, to be referred to as Commonwealth state funerals, for those deceased persons who served our government in a high official capacity or who gave their lives in the line of duty while serving the residents of the Commonwealth, and to provide procedures for the conduct of those special funeral ceremonies. A Commonwealth state funeral is in recognition of the dedicated service to our people and to our government that these people have performed.

Source: PL 3-85, § 2; amended by PL 11-92, § 2.

Commission Comment: PL 3-85, the “Commonwealth State Funeral Act of 1983,” took effect December 14, 1983.

PL 11-92 which amended sections 451 to 458 of this article took effect on August 13, 1999. PL 11-92 contained findings and severability clauses as follows:

Section 1. Findings. The Legislature finds that the provision of state funerals within the Commonwealth was originally intended to be and should remain a high honor reserved for a very few truly outstanding individuals who exhibit exceptional accomplishments, contributions or bravery to the benefit of the people of the Commonwealth. The legislature further finds that this goal is undermined and even thwarted if the ceremony, which is intended to be a high honor, is so broadly bestowed that it loses its stature and is no longer such an important honor.

The Legislature further finds that as currently implemented the Commonwealth State Funeral Act is failing to accomplish its goal effectively. Particularly, under the current provisions, state funerals are becoming so commonplace that they have lost their meaning and are no longer viewed as truly a rare honor. This situation is unfair to the deserving public servants to whom this honor is owed.

Accordingly, through this Act, the Legislature intends to restrict and more clearly delineate the precise circumstances under which a state funeral is warranted and to limit the discretion to award such a funeral.

. . .

Section 4. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.