

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 404

H. P. 311

House of Representatives, January 17, 1963

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mrs. Oakes of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

**AN ACT Transferring Burial Allowance Program for Veterans from
Department of Health and Welfare to Division of Veterans Affairs.**

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 26, §§ 24 - 25, additional. Chapter 26 of the Revised Statutes is amended by adding 2 new sections, to be numbered 24 and 25, to read as follows:

'Burial of Honorably Discharged Soldiers and Sailors.

Sec. 24. State to pay burial expenses of destitute soldiers and sailors and their widows. Whenever any person who has served in the army, navy or marine corps of the United States and was honorably discharged therefrom shall die, being at the time of his death a resident of this State and in destitute circumstances, the State, through the Division of Veterans Affairs, shall pay the necessary expenses of his burial; or whenever the widow of any person who served in the army, navy or marine corps of the United States and was honorably discharged therefrom shall die, being at the time of her death a resident of this State and being in destitute circumstances and having no kindred living within this State and of sufficient ability legally liable for her support, the State shall pay the necessary expenses of her burial. Such expenses shall not exceed the sum of \$250 in any case and the burial shall be in some cemetery not used exclusively for the burial of the pauper dead.

Sec. 25. Cities and towns to pay expenses and reimbursed by State; person not constituted a pauper. The municipal officers of the city or town in which such deceased, mentioned in section 24, resided at the time of his death shall pay the expenses of his burial, and if he die in an unincorporated place, the

town charged with the support of paupers in such unincorporated place shall pay such expenses. In either case upon satisfactory proof by such town or city to the Division of Veterans Affairs of the fact of such death and payment, the State shall refund to said town or city the amount so paid. The person whose burial expenses are paid in accordance with this section and section 24 shall not be constituted a pauper thereby. Said proof shall contain a certificate from the Adjutant General of the State to the effect that such person was an honorably discharged soldier or sailor or the widow of an honorably discharged soldier or sailor.'

Sec. 2. Transfer of duties. The duties imposed upon the Department of Health and Welfare under the Revised Statutes, chapter 94, sections 45 and 46 are hereby transferred and imposed upon the Division of Veterans Affairs.

Sec. 3. Appropriation. There is appropriated from the General Fund to the Division of Veterans Affairs the sum of \$750 for the fiscal year ending June 30, 1964 and the sum of \$1,250 for the fiscal year ending June 30, 1965 to carry out the purposes of this act. All moneys appropriated by the 101st Legislature to the Department of Health and Welfare to carry out said chapter 94, sections 45 and 46 are hereby transferred to the Division of Veterans Affairs.

Sec. 4. R. S., c. 94, §§ 45 - 46, repealed. Section 45, as amended by chapter 243 of the public laws of 1957 and section 46 both of chapter 94 of the Revised Statutes are repealed.