

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND FOURTH LEGISLATURE

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**Legislative Document**

**No. 1780**

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H. P. 1413 House of Representatives, January 6, 1970  
The Committee on Legal Affairs suggested.  
BERTHA W. JOHNSON, Clerk  
Presented by Mr. Lewin of Augusta.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
AND SEVENTY

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**AN ACT to Clarify the Law for Eligibility for Burial in the Maine Veterans Memorial Cemetery.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, applications for burial in the Maine Veterans Memorial Cemetery are now being processed; and

Whereas, serious doubt exists as to the eligibility of certain veterans and dependents to be buried in the Veterans Memorial Cemetery; and

Whereas, it is necessary to have immediate legislation to resolve this doubt in order to accept applications for burial; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**R. S., T. 37, § 25, amended.** The first paragraph of section 25 of Title 37 of the Revised Statutes, as enacted by section 1 of chapter 422 of the public laws of 1965 and as amended by section 4 of chapter 502 of the public laws of 1967, is further amended to read as follows:

Any person who served on active duty in the United States Armed Forces during any federally recognized period of conflict, including the Korean

Campaign and the Viet Nam War, or was eligible for Armed Forces Expeditionary Medal or campaign medal and, who, if discharged, received an honorable discharge may be buried in this cemetery without charge, if he, while a resident of Maine, entered service ~~from Maine~~ or was at the time of his death **or of the death of one of his eligible dependents**, a resident of Maine. ~~The Eligible dependents are:~~ **the wife, husband, surviving spouse, minor child or adult child who became incapable of self-support before reaching the age of 18 because of mental or physical defects. An eligible dependent of a veteran may be buried in the cemetery if, at the date of the dependent's death the veteran is eligible for such burial. They** may be buried in graves adjacent to the veteran without charge, provided that if the veteran dies first, the survivors specify in writing their intent to be so buried or if the dependent dies first, the veteran specifies in writing his intent to be buried in the Veterans Memorial Cemetery. The plots shall be reserved as indicated and a permanent record of all burials shall be kept.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.