

MAINE STATE LEGISLATURE

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SENATE AMENDMENT " A" to S.P. 118, L.D. 383, Bill, "AN ACT Relating to Educational Benefits for Dependents of Veterans and Prisoners of War and those Missing in Action."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Sec. 1. 37-A MRSA §50-J, as enacted by PL 1973, c. 788, §196, is repealed and the following enacted in place thereof:

§50-J. Definition

For the purposes of administering this subchapter, an orphan of a veteran shall be defined as a child not under 16 years of age, one of whose parents served in the military or naval forces of the United States and was killed in action or died from a service-connected disability as a result of such service or who is living and is determined to have a total disability, permanent in nature, resulting from a service-connected disability as a result of such service. Children of a veteran who at time of death was totally and permanently disabled due to service-connected disability, but whose death was not related to service-connected disability, shall be eligible for benefits under this subchapter. Orphans, one of whose parents entered the service from Maine or who have resided in the State for 5 years immediately preceding application for aid under this subchapter and which children have graduated from high school and are not over 21 years of age at the time of first entering a vocational school or an educational institution of collegiate grade, shall be eligible for benefits provided under this subchapter; except that an orphan who has been unable to enter before the age of 21 because engaged in service in the Armed Forces of the United States may enter when not over 25 years of age.

For the further purpose of administering this subchapter, a spouse of a veteran shall be defined

as a person whose deceased spouse met the residency and service requirements of this section, and the spouse of any person who was killed in action or who dies from a service-connected disability as determined by the Veterans Administration, or the spouse of any veteran who has a total disability, permanent in nature, resulting from a service-connected disability as determined by the Veterans Administration, or the spouse of a veteran who died while a disability so evaluated was in existence.

This subchapter shall apply to the spouses and children of those veterans of World War II, Korea and the Viet Nam War who were listed for more than 90 days as missing in action, captured or forcibly detained or interned in the line of duty by a foreign government or power; provided that benefits under this subchapter shall cease for the spouse of the veteran when such spouse becomes a dependent of another person.

Sec. 2. 37-A MRSA §50-K, 1st sentence, as enacted by PL 1973, c. 788, §196, is amended to read:

In order to assist any person qualifying as an orphan or as a ~~widow~~-wife spouse or child of a veteran or member of the Armed Forces in accordance with section 41 in securing higher education, the bureau shall pay, for any person which it finds eligible for such assistance, a maximum of \$300 per year, for a period of time not exceeding 8 semesters of attendance nor exceeding 6 consecutive academic years from the date of first entrance, towards the cost of such higher education.

Sec. 3. 37-A MRSA §50-L, as enacted by PL 1973, c. 788, §196, is amended to read:

§50-L. Free tuition

All children qualifying as orphans and ~~widows~~ spouses qualifying under this subchapter, and the ~~wives~~ spouses and children of those members of the

Armed Forces described in the 3rd paragraph of section 41, shall be admitted to state supported post-secondary vocational schools or institutions of collegiate grade free of tuition.

Sec. 4. Appropriation. There is appropriated from the General Fund to the Bureau of Veterans' Services the sum of \$10,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	<u>1975-76</u>	<u>1976-77</u>
MILITARY, CIVIL DEFENSE AND VETERANS' SERVICES		
Bureau of Veterans' Services		
All Other	\$5,000	\$5,000

Fiscal Note

The appropriation for this Act is an estimate of the amount required to provide the assistance provided under section 50-K. There is also an indefinite amount lost to state revenues by the granting of free tuition in state-supported post-secondary vocational schools or institutions of collegiate grade.'

Statement of Fact

The purpose of this amendment is to clarify the intent of the original bill by redrafting the proposed amendment to the last paragraph of section 50-J and also to remove the sexually discriminatory language in the subchapter.

(O'Leary)
NAME:

COUNTY: Oxford

Reproduced and distributed pursuant to Senate Rule 11-A.

May 28, 1975. (Filing No. S-213).