

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1423

6  
7 H.P. 1076

House of Representatives, April 6, 1983

8 Referred to the Committee on Aging, Retirement and Veterans. Sent up  
9 for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Lehoux of Biddeford.

Cosponsors: Representative Paradis of Old Town and Representative Tuttle of Sanford.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Provide a Veteran's Bonus to  
18 Viet Nam Veterans.  
19

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

22 37-A MRSA c. 31 is enacted to read:

23 CHAPTER 31

24 VIET NAM WAR VETERANS' COMPENSATION

25 §1501. Definitions

26 As used in this chapter, unless the context  
27 otherwise indicates, the following terms have the  
28 following meanings.

29 1. Legal resident of this State. "Legal resi-  
30 dent of this State" means any individual who gave  
31 this State as his place of residence or home address

1 during his active service in the Viet Nam War. The  
2 proof of residence shall be either the official  
3 records on file in the United States Department of  
4 Defense or such other evidence of bona fide resi-  
5 dence as may be deemed sufficient by the Adjutant  
6 General of this State.

7 2. Veteran. "Veteran" includes any individual  
8 who served as a member of the military, naval or air  
9 forces of the United States during the Viet Nam War.

10 §1502. Computation of compensation

11 Compensation shall be payable under this chapter  
12 to any veteran who was a legal resident of this State  
13 during the Viet Nam War and shall be computed on the  
14 basis of \$45 dollars for every month, or major frac-  
15 tion of a month, of active service in the military,  
16 naval or air forces of the United States, as shown by  
17 the service or other record of the veteran, actually  
18 spent in Southeast Asia. The compensation of a vet-  
19 eran who died in active military, naval or air ser-  
20 vice during the Viet Nam War or who was injured in  
21 active service and whose injury prevented him from  
22 returning to active service shall be \$1,080. Except  
23 as provided in this section for death or injury in  
24 active service, no veteran who served less than 60  
25 days active service during the Viet Nam War may be  
26 entitled to receive any compensation under this chap-  
27 ter. No veteran may be entitled to receive compensa-  
28 tion under this chapter in a sum to exceed \$1,080.

29 §1503. Application for compensation

30 Applications for compensation shall be made to  
31 the Adjutant General on forms and in the manner he  
32 shall prescribe.

33 Applicants shall state on their application  
34 whether or not they have applied for, or received, a  
35 bonus, gratuity or compensation of a nature similar  
36 to that provided for by this chapter from any other  
37 State.

38 The Adjutant General shall not accept or consider  
39 any application filed or mailed after December 31,  
40 1984.

1      §1504. Ascertainment of service

2           Immediately after the effective date of this  
3 chapter, the Adjutant General shall ascertain the  
4 individuals who are veterans, as defined in section  
5 1501, and, as to each veteran, the number of months  
6 of service, as defined in section 1502, for which he  
7 is entitled to receive compensation. The decisions  
8 of the Adjutant General shall be final and not sub-  
9 ject to review by any court or by any other officer.  
10 In all cases not within the express purview of this  
11 chapter, the decision of the Adjutant General, as to  
12 payment or nonpayment of compensation or eligibility  
13 for compensation, shall be final in all things.

14      §1505. False or fraudulent statements; penalty

15           Any person who knowingly makes any false or  
16 fraudulent statement of a material fact in any appli-  
17 cation, certificate or document made under this chap-  
18 ter, or of any regulation made by the Adjutant Gen-  
19 eral in administering this chapter, is guilty of a  
20 Class D crime.

21      §1506. Administration

22           The Adjutant General shall administer this chap-  
23 ter. He shall prepare and distribute application  
24 blanks, investigate all claims and applications filed  
25 with him and, if satisfied with the proof of those  
26 claims and applications, approve them and direct pay-  
27 ment. The Adjutant General shall, in accordance with  
28 the Maine Administrative Procedure Act, Title 5,  
29 chapter 375, promulgate all regulations which he  
30 deems necessary to carry out the purposes of this  
31 chapter.

32                                      STATEMENT OF FACT

33           The purpose of this bill is to provide a  
34 veteran's bonus to persons who served in the Viet Nam  
35 War.

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