

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 110

6  
7 H.P. 90

House of Representatives, January 22, 1985

8 Reference to the Committee on Aging, Retirement and Veterans  
9 suggested and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Duffy of Bangor.

11 Cosponsored by Representative Richard of Madison, Representative  
Hickey of Augusta and Representative Diamond of Bangor.

12 STATE OF MAINE  
13

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

17 AN ACT to Establish Eligibility for Burial on  
18 the Maine Veterans' Memorial Cemetery  
19 for Members of the Maine National  
20 Guard.  
21

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

24 Sec. 1. 37-B MRSA §504, sub-§4, ¶A, as enacted  
25 by PL 1983, c. 460, §3, is repealed.

26 Sec. 2. 37-B MRSA §504, sub-§4, ¶A-1 is enacted  
27 to read:

28 A-1. As used in this subsection, unless the con-  
29 text indicates otherwise, the following terms  
30 have the following meanings.

31 (1) "Eligible dependent" means the wife,  
32 husband, surviving spouse, unmarried minor  
33 child or unmarried adult child who became  
34 incapable of self-support before reaching 18

1 years of age on account of mental or physi-  
2 cal defects.

3 (2) "Eligible veteran" means any person  
4 who:

5 (a) Served on active duty in the  
6 United States Armed Forces during any  
7 federally recognized period of conflict  
8 or was eligible for an Armed Forces Ex-  
9 peditionary Medal or campaign medal,  
10 and who:

11 (i) If discharged, received an  
12 honorable discharge or a general  
13 discharge under honorable condi-  
14 tions, provided that the discharge  
15 was not upgraded through a program  
16 of general amnesty; and

17 (ii) Was a resident of the State  
18 at the time of entering military  
19 service, his death or the death of  
20 an eligible dependent; or

21 (b) Served in the Maine National Guard  
22 and died as a result of injury, disease  
23 or illness sustained while serving on  
24 state active duty.

25 (3) "Federally recognized period of con-  
26 flict" means World War I, April 6, 1917 to  
27 November 11, 1918, March 31, 1920, if ser-  
28 vice was in Russia; World War II, December  
29 7, 1941 to December 31, 1946; Korean Con-  
30 flict, June 27, 1950 to January 31, 1955;  
31 and the Viet Nam War, August 5, 1964 to May  
32 7, 1975.

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STATEMENT OF FACT

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The intent of this bill is to provide eligibility  
3 for burial in the Maine Veterans' Memorial Cemetery  
4 for members of the Maine National Guard who die or  
5 are killed while serving the State during emergency  
6 or other situations in a state active duty status.

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