

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 2048

7
8 H.P. 1451

House of Representatives, February 21, 1986

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

EDWIN H. PERT, Clerk

11 Presented by Representative Hickey of Augusta.

Cosponsored by Senator Najarian of Cumberland, Senator Erwin of
Oxford and Representative Jalbert of Lisbon.

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-SIX
17

18 AN ACT to Authorize the Remains of Specialist
19 4th Class Richard D. Rimiller to be
20 Buried in the Veterans' Memorial Cemetery.
21

22 **Emergency preamble.** Whereas, Acts of the Legis-
23 lature do not become effective until 90 days after
24 adjournment unless enacted as emergencies; and

25 Whereas, the Maine Revised Statutes, Title 37-B,
26 section 504, appeared to preclude the burial in the
27 Veterans' Memorial Cemetery of Specialist Richard D.
28 Rimiller, who was recently killed at Gander,
29 Newfoundland, in a plane crash; and

30 Whereas, it is vitally important to grant this
31 exception before the burial of Specialist Rimiller;
32 and

33 Whereas, in the judgment of the Legislature,
34 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preservation
3 of the public peace, health and safety; now,
4 therefore,

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

7 Richard D. Rimiller; burial in Veterans' Memorial
8 Cemetery authorized. Notwithstanding the Maine Revised
9 Statutes, Title 37-B, section 504, authorization is granted
10 to bury the remains of Specialist 4th Class Richard D. Rimiller
11 in the Veterans' Memorial Cemetery.
12

13 Emergency clause. In view of the emergency cited
14 in the preamble, this Act shall take effect when approved.
15

1

STATEMENT OF FACT

2 Specialist 4th Class Richard D. Rimiller, was
3 killed in the Gander, Newfoundland, plane crash on
4 December 12, 1985, as he was returning from
5 peace-keeping duty in the Sinai Peninsula. Special-
6 ist Rimiller moved to this State in March 1984, and
7 lived and worked with his cousin in Lisbon. In Janu-
8 ary 1985, he married a woman from Lisbon and lived
9 with her and her family until he entered military
10 service in February 1985. During his military ser-
11 vice, he was awarded the Meritorious Service Medal,
12 the Good Conduct Medal, the Army Service Ribbon, the
13 Superior Unit Award, the Air Assault Badge and the
14 Multinational Force and Observers Medal. Current
15 state law Title 37-B, section 504, establishes crite-
16 ria for burial in the Veterans' Memorial Cemetery and
17 requires that an individual "serve on active duty in
18 the United States Armed Forces during any federally
19 recognized period of conflict or was eligible for an
20 Armed Forces Expeditionary Medal or Campaign Medal,"
21 and "was a resident of the State at the time of en-
22 tering military service, his death or the death of an
23 eligible dependent," or "served in the Armed Forces
24 of the United States at any time and was killed or
25 died as a result of hostile action and was a resident
26 of the State at the time of entering military service
27 or at the time of his death."

28 In a technical sense, Specialist Rimiller may not
29 meet the "result of hostile action" criteria. This
30 is a very technical interpretation and, since Mrs.
31 Rimiller has requested that he be allowed burial in
32 the Veterans' Memorial Cemetery, this exception is
33 requested.

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