



# 115th MAINE LEGISLATURE

# FIRST REGULAR SESSION-1991

## Legislative Document

No. 1391

H.P. 964

House of Representatives, April 1, 1991

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

Ed ( P.

EDWIN H. PERT, Clerk

Presented by Representative GRAHAM of Houlton.

Cosponsored by Representative AULT of Wayne, Representative BUTLAND of Cumberland and Senator THERIAULT of Aroostook.

# STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

An Act Concerning Access to Maine Veterans' Homes and the Veterans' Memorial Cemetery.

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|            | Be it enacted by the People of the State of Maine as follows:  |
|------------|--|
| 2          | Sec. 1. 37-B MRSA §504, sub-§4, ¶A-1, as amended by PL 1989, c.  |
| 4          | 502, Pt. D, §21, is further amended to read:   |
| 6          | A-1. As used in this subsection, unless the context indicates otherwise, the following   |
| 8          | meanings.  |
| 10         | (1) "Eligible dependent" means the wife, husband,<br>surviving spouse, unmarried minor child or unmarried  |
| 12         | adult child who became incapable of self-support before<br>reaching 18 years of age on account of mental or  |
| 14         | physical defects.  |
| 16         | (2) "Eligible veteran" means any person who:   |
| 18         | (a) Served on active duty in the United States<br>Armed Forces during <del>anyfederallyrecognised</del>  |
| 20         | period-of-conflict,-served-on-active-duty-in-the<br>United-States-Armed-Forces-at-any-time-during-the  |
| 22         | period-December-22,-1961-to-August-5,-1964 or was<br>eligible for an Armed Forces Expeditionary Medal  |
| 24         | or campaign medal, and who:  |
| 26         | (i) If discharged, received an honorable<br>discharge or a general discharge under   |
| 28         | honorable conditions, provided that the<br>discharge was not upgraded through a program  |
| 30         | of general amnesty; and  |
| 32         | (ii) Was a resident of the State at the time<br>of entering military service, death or the   |
| 34         | death of an eligible dependent;  |
| 36         | (b) Served in the Maine National Guard and died<br>as a result of injury, disease or illness   |
| 38         | sustained while serving on state active duty as provided in chapter 3, subchapter III; or  |
| 40         |  |
| 42         | (c) Served in the Armed Forces in the United<br>States at any time and was killed or died as a<br>result of hostile action and was a resident of the |
| 44         | State at the time of entering military service, at<br>the time of death or at the time of the death of   |
| 46         | an eligible dependent.   |
| 4 <b>8</b> | (3)"Federally-recognized-period-of-conflict"means<br>World-War-In-April-6,-1917-to-November-11,-1918,-March  |
| 50         | 31,1920,if-service-wasin-Russia;-World-WarII,<br>December 71941-to-December 311946,-Korean-Conflict-   |

June-27,-1950-to-January-31,-1955; and the -Vietnam-War, August-5,-1964-to-May-7,-1975.

Sec. 2. 37-B MRSA §601, as amended by PL 1989, c. 502, Pt. A, §141, is further amended to read:

#### §601. Home established; purpose

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There shall-be are public homes for veterans in Maine known 10 "Maine Veterans' Homes." In addition to the presently as existing home located in Augusta, a 120-bed home located in 12 southern Maine and a home, not to exceed 60 beds, located in Aroostook County, may be constructed if federal Veterans' Administration funds are available to meet part of the costs of 14 each facility for construction or operation. The board of trustees shall plan and develop these additional homes and may 16 use any funds available for those purposes, except for the 18 Augusta facility's funded depreciation account. The primary purpose of the homes shall-be is to provide support and care for honorably discharged veterans who served in the United States 20 Armed Forces during-wartime, -including-the-Kerean-Conflict-and the-Vietnam-War. 22

### STATEMENT OF FACT

In current law, a veteran must have served in the United States Armed Forces during a period of conflict to be eligible to be a resident in Maine Veterans' Homes and to be buried at the Veterans' Memorial Cemetery. This bill repeals the language that requires veterans to serve in the Armed Forces during a period of conflict, to be eligible to be a resident in a veterans' home or to be buried at the Veterans' Memorial Cemetery.