

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1170

S.P. 351

In Senate, February 20, 1997

An Act to Amend Department of Defense and Veterans' Affairs Laws.

Submitted by the Department of Defense and Veterans' Services pursuant to Joint Rule 204.
Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.
Cosponsored by Representative TUTTLE of Sanford and
Representatives: BELANGER of Wallagrass, VIGUE of Winslow.

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

2
3 **Sec. 1. 2 MRSA §6, sub-§6**, as amended by PL 1991, c. 626, §1,
4 is further amended to read:

6 **6. Range 85.** The salaries of the following state officials
and employees are within salary range 85:

8
9 Director of ~~Civil-Emergency-Preparedness~~ the Maine Emergency
10 Management Agency;

12 Members, Maine Unemployment Insurance Commission; and

14 Director of the Military Bureau; and

16 Director of the Bureau of Maine Veterans' Services.

18 **Sec. 2. 5 MRSA §952, sub-§1, ¶¶A and B**, as amended by PL 1991,
19 c. 626, §2, are further amended to read:

20 A. Director of the Military Bureau; and

22 B. Director, Maine Emergency Management Agency; and

24 **Sec. 3. 5 MRSA §952, sub-§1, ¶D** is enacted to read:

26 D. Director of the Bureau of Maine Veterans' Services.

28 **Sec. 4. 10 MRSA §1026-C, sub-§3, ¶¶A and B**, as amended by PL
30 1991, c. 626, §3, are further amended to read:

32 A. One or more individuals who are residents of the State
33 and who have received from the ~~Division--of--Veterans'~~
34 Services Bureau of Maine Veterans' Services or any successor
agency certifications that they are veterans; or

36 B. A business organization in which at least 51% of the
37 controlling ownership is held by one or more individuals who
38 are residents of the State and who have received from the
39 ~~Division--of--Veterans'--Services~~ Bureau of Maine Veterans'
40 Services or any successor agency certifications that they
41 are veterans.

44 **Sec. 5. 18-A MRSA §5-104**, as amended by PL 1979, c. 690, §17,
45 is repealed and the following enacted in its place:

46 **§5-104. Delegation of powers by parent or guardian**

48 (a) A parent or guardian of a minor or incapacitated
50 person, by a properly executed power of attorney, may delegate to

2 another person, for a period not exceeding 6 months, any of that
3 parent's or guardian's powers regarding care, custody or property
4 of the minor child or ward, except the power to consent to
5 marriage or adoption of a minor ward. A delegation by a court
6 appointed guardian becomes effective only when the power of
7 attorney is filed with the court.

8 (b) Notwithstanding subsection (a), unless otherwise stated
9 in the power of attorney, if the parent or guardian is a member
10 of the United States Armed Forces Reserve under an order to
11 active duty for a period of more than 30 days, a power of
12 attorney that would otherwise expire is automatically extended
13 until 30 days after the parent or guardian is no longer under
14 those active duty orders or until an order of the court so
15 provides.

16 This subsection applies only if the parent or guardian's service
17 is in support of:

18
19 (1) An operational mission for which members of the reserve
20 components have been ordered to active duty without their
21 consent; or

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23 (2) Forces activated during a period of war declared by
24 Congress or a period of national emergency declared by the
25 President or Congress.

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28 **Sec. 6. 22 MRSA §4314, sub-§2, as amended by PL 1995, c. 86,**
29 **§2, is further amended to read:**

30
31 **2. Financial institutions.** A treasurer of any bank,
32 federally or state-chartered credit union, trust company, benefit
33 association, insurance company, safe deposit company or any
34 corporation or association receiving deposits of money, except
35 national banks, shall, on request in writing signed by the
36 overseer of any municipality or its agents, or by the
37 Commissioner of Human Services or the commissioner's agents or by
38 the Commissioner of Defense and Veterans' Services or the
39 commissioner's agents, inform that overseer or the Department of
40 Human Services or the ~~Division of Veterans' Services~~ Bureau of
41 Maine Veterans' Services of the amount deposited in the
42 corporation or association to the credit of the person named in
43 the request, who is a charge upon the municipality or the State,
44 or who has applied for support to the municipality or the State.

45
46 **Sec. 7. 37-B MRSA first 2 lines are repealed and the following**
47 **enacted in their place:**

48
49
50 **TITLE 37-B**

2 DEFENSE, VETERANS AND EMERGENCY MANAGEMENT

4 **Sec. 8. 37-B MRSA §2, first ¶**, as amended by PL 1987, c. 370,
6 §10, is further amended to read:

8 The department shall ~~consist~~ consists of the following
bureaus ~~and agency~~:

10 **Sec. 9. 37-B MRSA §2, sub-§3**, as amended by PL 1991, c. 626,
12 §5, is further amended to read:

14 **3. Bureau of Maine Veterans' Services.** ~~The Division of~~
Veterans' Services Bureau of Maine Veterans' Services.

16 **Sec. 10. 37-B MRSA §3, sub-§1, ¶C**, as enacted by PL 1983, c.
18 460, §3, is amended to read:

20 C. Satisfy the requirements of section ~~107~~ 107-A; and

22 **Sec. 11. 37-B MRSA §4**, as amended by PL 1993, c. 694, §1, is
further amended to read:

24 **§4. Directors of bureaus**

26 ~~The Division of Veterans' Services and each~~ Each bureau of
the department must have a director. The Director of the
28 Military Bureau, the Director of ~~Operations of the Division of~~
the Bureau of Maine Veterans' Services and the Director of the
30 Maine Emergency Management Agency are each appointed by the
Adjutant-General commissioner and shall serve at the pleasure of
32 the Adjutant-General commissioner. ~~These directors may not hold~~
~~any other state office for compensation.~~ ~~If the Adjutant-General~~
34 ~~is unable to act, the Director of the Military Bureau has the~~
~~civilian administrative powers and duties of the Adjutant-General~~
36 ~~in the Adjutant-General's capacity as Commissioner of Defense and~~
~~Veterans' Services.~~ ~~The Director of the Military Bureau may also~~
38 ~~perform other civilian duties of the Adjutant-General as assigned~~
~~by the Adjutant-General or the Governor.~~ The commissioner may
40 designate one of the bureau or agency directors to have the same
42 civilian administrative powers and duties of the commissioner if
the commissioner is unavailable or unable to act. The directors
44 will perform other civilian duties as assigned by the
commissioner or Governor.

46 **Sec. 12. 37-B MRSA §106**, as enacted by PL 1983, c. 460, §3,
48 is amended to read:

50 **§106. Assistant adjutants general**

2 The Adjutant General may, subject to the approval of the
3 Governor, appoint an assistant adjutant general for the Maine
4 Army National Guard and an assistant adjutant general for the
5 Maine Air National Guard, each with the qualifications set forth
6 in section ~~107~~ 107-A, who may hold the grade of brigadier general
7 and shall serve at the pleasure of the Adjutant General. The
8 assistant adjutant general for the Maine Army National Guard
9 shall ~~be~~ is responsible for the general supervision of training
10 and administration of the Maine Army National Guard and the
11 assistant adjutant general for the Maine Air National Guard shall
12 be is responsible for the general supervision of training and
13 administration of the Maine Air National Guard.

14 **Sec. 13. 37-B MRSA §107**, as amended by PL 1983, c. 594, §3,
15 is repealed.

16 **Sec. 14. 37-B MRSA §107-A** is enacted to read:

17 **§107-A. Qualifications of Adjutant General and assistant**
18 **adjutants general**

19 A person appointed Adjutant General or assistant adjutant
20 general must be or have been a member of the Maine National Guard
21 for at least 5 years and must have attained at least the
22 federally recognized rank of lieutenant colonel.

23 **Sec. 15. 37-B MRSA §112**, as enacted by PL 1985, c. 16, is
24 amended to read:

25 **§112. State Area Command**

26 The Adjutant General shall organize a staff to be called a
27 State Area Command, STARC. It shall command, control and
28 supervise Army National Guard units employed in support of civil
29 authorities in the protection of life, property and preservation
30 of peace, order and public safety under competent orders of state
31 authorities. In the event of mobilization of some or all Army
32 National Guard units by the President of the United States, it
33 shall assist the State in organizing and training a militia, if
34 required, perform command and control functions in support of
35 civil authorities, as directed, and prepare to reconstitute the
36 Army National Guard and Air National Guard when units are
37 relieved from federal service. It shall must be commanded by a
38 federally recognized officer who may be the Adjutant General or
39 Deputy Adjutant General. The commander shall ~~be~~ is assisted by a
40 Deputy State Area Command Commander, who shall must be qualified
41 in accordance with section ~~107~~ 107-A and not hold a grade above
42 Brigadier General, and who shall may not be the Deputy Adjutant
43 General.

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2 **Sec. 16. 37-B MRSA §143**, as amended by PL 1983, c. 594, §4,
is repealed and the following enacted in its place:

4 **§143. Pay; allowances and benefits**

6 **1. Pay and allowances.** Members of the Maine National Guard
7 ordered to active state service under this Title, unless
8 otherwise stated in specific orders regarding that duty, are
9 entitled to receive the same pay and allowances as is payable to
10 persons of the same branch, grade and classification in the
11 federal military establishment.

12 **2. Minimum wage.** Notwithstanding subsection 1, specific
13 orders for active state service, called by the Governor, include
14 a minimum pay based upon at least 12 hours a day at the state
15 minimum wage.

16 **3. Benefits.** Members of the Maine National Guard
17 performing state active service pursuant to section 181-A,
18 subsection 4 or 5 for more than a 15-day period are eligible to
19 participate in the state employee health and dental insurance
20 programs, are entitled to receive reimbursement for official
21 travel and accrue vacation and sick leave in a manner equal to
22 other confidential state employees.

23 **Sec. 17. 37-B MRSA §151**, as enacted by PL 1983, c. 594, §6,
24 is amended to read:

25 **§151. Military Lodging Fund**

26 The Military Bureau may operate and maintain lodging
27 facilities for military personnel and charge collect a quarters
28 fee of ~~not more than \$5 each night to authorized National Guard~~
29 ~~or active or reserve United States military personnel on behalf~~
30 ~~of both the federal government and the Military Bureau. The fees~~
31 ~~shall be used to provide funds to cover the cost of maintenance,~~
32 ~~cleaning and laundry services for~~ will fund these lodging
33 facilities. That portion of the fees due the Federal Government
34 will be transferred to the United States property and fiscal
35 officer on a quarterly basis or as requested. Any balances
36 remaining at the end of the fiscal year shall do not lapse but
37 shall must be carried forward to be used for the purposes stated
38 in this section.

39 **Sec. 18. 37-B MRSA §155** is enacted to read:

40 **§155. Reimbursement fund**

41 The Maine National Guard may provide services in accordance
42 with section 181-A, subsections 4 and 5 and section 183 for

2 federal, state, county, regional and municipal governments and
3 agencies and nongovernmental entities and may charge for those
4 services. The fees collected must be allocated for funding the
5 cost of providing those services.

6 **Sec. 19. 37-B c.7, first 2 lines** are repealed and the following
7 enacted in their place:

8
9 **CHAPTER 7**

10 **BUREAU OF MAINE VETERANS' SERVICES**

11 **Sec. 20. 37-B MRSA §501**, as amended by PL 1991, c. 626, s8,
12 is further amended to read:

13 **§501. Purpose**

14 ~~The Division of Veterans' Services~~ Bureau of Maine Veterans'
15 Services, referred to in this chapter as the "division bureau,"
16 is established and shall provide informational services, program
17 assistance, memorial facilities and financial aid to veterans in
18 the State and their dependents in order to ~~insure~~ ensure that
19 they receive all entitlements due under the law, are relieved to
20 the extent possible of financial hardship, receive every
21 opportunity for self-improvement through higher education and are
22 afforded proper recognition for their service and sacrifice to
23 the Nation.

24 **Sec. 21. 37-B MRSA §502**, as amended by PL 1993, c. 694, §2,
25 is further amended to read:

26 **§502. Director of Bureau of Maine Veterans' Services**

27 ~~The Director of Operations of the Division of the Bureau of~~
28 Maine Veterans' Services, referred to in this chapter as the
29 "director," shall direct the operation of the division bureau.

30 **Sec. 22. 37-B MRSA §503**, as amended by PL 1993, c. 694, §3,
31 is further amended to read:

32 **§503. Powers and duties**

33 ~~The Director of Operations~~ director has the following powers
34 and duties.

35 **1. Employment of personnel.** ~~The Director of Operations~~
36 director may employ, subject to approval of the appointing
37 authority and the Civil Service Law, the personnel necessary to
38 administer this chapter. All full-time permanent employees,
39 except clerical employees, must be persons who served on active
40

2 duty in the United States Armed Forces during any federally
3 recognized period of conflict, as defined in section 504,
4 subsection 4, paragraph A-1, subparagraph (3).

6 **2. Expenditures.** The ~~Director-of-Operations~~ director may
7 make expenditures approved by the ~~Adjutant-General~~ commissioner
8 necessary to carry out this chapter.

10 **3. Agent.** The ~~Director-of-Operations~~ director shall act,
11 upon request, as the agent of any Maine resident who has a claim
12 against the United States for any compensation, pension,
13 insurance, loan or other benefit accruing as a result of any
14 federal military service and, in cooperation with all public and
private agencies, shall prosecute the claim without charge.

16 **4. Record.** The ~~Director-of-Operations~~ director shall
17 maintain a permanent record of all Maine residents who served in
18 the armed services after December 7, 1941.

20 **6. Other duties.** The ~~Director-of-Operations~~ director shall
21 perform other duties required by this chapter.

22 **Sec. 23. 37-B MRSA §504, sub-§1,** as amended by PL 1993, c.
24 694, §4, is further amended to read:

26 **1. Land acquisition.** The ~~Director-of-Operations~~ director
27 may acquire by eminent domain in accordance with Title 35-A,
28 chapter 65 and with approval of the Governor, or by purchase,
29 gift or otherwise, real estate in fee simple, or any interest
30 therein, for use as a Veterans' Memorial Cemetery. The land may
31 not exceed 200 acres in area and must be located near the center
32 of population of the State.

34 **Sec. 24. 37-B MRSA §504, sub-§2,** as amended by PL 1993, c.
36 694, §5, is further amended to read:

38 **2. Superintendent.** The ~~Director-of-Operations~~ director,
39 with approval of the appointing authority, shall appoint a
40 competent and trustworthy cemetery superintendent and shall
41 arrange for personnel, material and equipment necessary for
42 adequate maintenance of the cemetery. The superintendent must be
43 an honorably discharged war veteran or a war veteran currently a
44 member of the armed services in nonactive or reserve status.

46 **Sec. 25. 37-B MRSA §504, sub-§3,** as amended by PL 1993, c.
48 694, §5, is further amended to read:

50 **3. Monuments, buildings and markers.** The ~~Director-of-Operations~~ director shall ~~cause-to-be-erected~~ erect a suitable
monument in the center of the cemetery.

2 A. The monument must be suited to the topography of the
land and display, on suitable flag poles, the national
4 emblem and the state flag in accordance with the Flag Code.

6 B. The immediate area surrounding the monument must be
prepared and reserved as a suitable place for commemorating
8 Memorial Day and other appropriate observances. The
remaining grounds must be laid out in a wheel-like pattern
10 around the monument, expanding from the center as required.
Suitable buildings may be erected for purposes the ~~Director~~
12 ~~of-Operations~~ director determines necessary.

14 C. All grave markers must be flat-type granite, as
furnished by the United States Department of the Army,
16 Memorial Division, or flat-type granite facsimiles of a
marker. All boxes used for burial must be protected with
18 permanent vaults or grave liners. Stones and vaults may not
be provided at state expense.

20 **Sec. 26. 37-B MRSA §504, sub-§4, ¶B**, as amended by PL 1993, c.
22 694, §6, is further amended to read:

24 B. The ~~Director-of-Operations-shall~~ director must allow the
earth burial in the cemetery of any eligible veteran who
26 requests burial in the cemetery. The ~~Director-of-Operations~~
~~shall~~ director must allow the veteran the option of crypt
28 burial if crypt space exists. All burials must be without
charge.

30 **Sec. 27. 37-B MRSA §504, sub-§4, ¶C**, as amended by PL 1993, c.
32 694, §7, is further amended to read:

34 C. At the dependent's request, the ~~Director-of-Operations~~
~~shall~~ director must allow an eligible dependent of a veteran
36 to be buried in the cemetery if, at the date of the
dependent's death, the veteran would be eligible for
38 burial. Dependents may be buried in the earth or placed in
a crypt adjacent to the veteran without charge, provided
40 that:

42 (1) If the veteran dies first, the dependents specify
in writing their intention to be so buried;

44 (2) If the dependent dies first, the veteran specifies
46 in writing the intention to be buried in the cemetery;
or

48 (3) Eligible family members of members of the armed
50 services or veterans who are permanently buried

2 overseas, buried at sea, missing in action and declared
3 dead, or whose bodies are inaccessible for other
4 reasons, may be buried in this cemetery, provided that
5 the deceased member of the armed services or veteran
6 was eligible for the burial at the time of death.

7 **Sec. 28. 37-B MRSA §505, sub-§1, ¶¶B to H,** as amended by PL
8 1991, c. 626, §16, are further amended to read:

9
10 B. Application for financial assistance under this
11 subsection must be made to the ~~division~~ bureau on forms
12 provided by the ~~division~~ bureau. Application may be made by
13 the veteran or that veteran's dependent or a person
14 recognized by the ~~division~~ bureau as entitled to act on
15 behalf of that person.

16
17 C. Eligibility for aid is determined as follows.

18 (1) Financial assistance must be granted under this
19 subsection to a veteran who is:

20 (a) Single;

21 (b) A resident of the State; and

22 (c) In dire need.

23 (2) Financial assistance must be granted under this
24 subsection to a spouse, a child, a parent or the
25 parents of a veteran if that person is a resident and
26 in need.

27 (3) Financial assistance under this subsection is not
28 forfeited because of temporary absence from the State.

29 (4) The ~~division~~-~~shall~~ bureau must give preference to
30 applications when the death or disability of the
31 veteran is due to military service or when the death or
32 disability may be presumed to be due to military
33 service.

34 D. The ~~division~~--~~shall~~ bureau must require proof of the
35 veteran's disability and its effect on the veteran's ability
36 to provide for the veteran and the veteran's dependents.

37 E. The ~~division~~--~~shall~~--~~determine~~ bureau determines the
38 amount of financial assistance allowed under this
39 subsection. In making that determination, the ~~division~~
40 ~~shall~~ bureau must give consideration to the following:

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2 (1) The resources of the veteran and the veteran's
4 dependents, including all other income and resources
available to provide the dependents with a reasonable
subsistence compatible with health and decency;

6 (2) Budgetary standards compiled by the division
8 bureau that reasonably reflect current costs of average
standards of living; and

10 (3) Other necessary expenditures and conditions
12 applicable in each case.

14 F. Financial assistance approved by the division bureau and
audited by the State Controller must be paid by the
16 Treasurer of State and may, in the discretion of the
division bureau, be paid to any person whom it may designate
18 for the benefit of eligible dependents.

20 G. The division bureau shall administer funds appropriated
for the purpose of carrying out this subsection and shall,
22 in accordance with ~~the Maine Administrative Procedure Act~~,
Title 5, chapter 375, subchapter II, adopt rules necessary
24 to administer these funds.

26 H. Any person who is denied financial assistance under this
subsection or who is not satisfied with the amount allotted
28 to that person by the division bureau may appeal to the
Commissioner of Defense and Veterans' Services
30 commissioner. Each applicant for financial assistance must
be advised, at the time a decision on the application is
32 made, of the applicant's right of appeal and of the method
and time for making the appeal. The appellant must be
34 provided with reasonable notice and a fair hearing. At the
hearing, the commissioner or a member of the division bureau
36 authorized by the commissioner shall hear all evidence
pertinent to the matter at issue and render a decision in
the name of the commissioner, within a reasonable time after
38 the hearing. On request of the appellant, the commissioner
shall arrange for the hearing to be recorded in writing or
40 on tape. A copy of the record must be provided to the
appellant at the appellant's request and expense. An appeal
42 to the Superior Court may be taken in accordance with ~~the~~
~~Maine Administrative Procedure Act~~, Title 5, chapter 375,
44 subchapter VII.

46 **Sec. 29. 37-B MRSA §505, sub-§2, ¶¶B and D**, as amended by PL
1993, c. 694, §8, are further amended to read:

48 B. The division bureau shall pay to a spouse or child of a
50 veteran a maximum of \$300 per year toward the cost of higher

2 education during a period not exceeding 8 semesters of
attendance or 6 consecutive academic years from the date of
4 first entrance. The ~~Director of Operations~~ director may
waive the limitation of 6 consecutive academic years when
6 the recipient's education has been interrupted by severe
medical disability or illness making continued attendance
8 impossible. These educational benefits must be used for the
purpose of providing tuition, matriculation fees, board,
10 room rent, books and supplies. Assistance under this
subsection may not be paid to any eligible person receiving
benefits under paragraph C.

12
14 D. Appropriations for the administration of this subsection
must be determined from the recommendation of the ~~Director~~
~~of Operations~~ director, who shall furnish estimates of the
16 costs of carrying out this subsection in the same manner as
for other appropriations allocated to the division bureau.
18 Appropriations made for these purposes will be to a specific
account.

20
22 **Sec. 30. 37-B MRSA §505, sub-§4, ¶B**, as amended by PL 1993, c.
273, §2, is further amended to read:

24 B. The division bureau:

26 (1) Must have a specific expertise on radiation and
toxic chemicals, particularly dioxin;

28 (2) Must be knowledgeable of the specific reasons for
30 the Federal Government's policy regarding assistance to
veterans relative to their exposure to radiation and
32 toxic chemicals;

34 ~~(3) -- Shall develop and present a response to federal~~
~~agencies concerning veterans and their exposure to~~
36 ~~radiation and toxic chemicals and, in this regard, must~~
~~be knowledgeable of any actions being taken by other~~
38 ~~states, coordinate this State's response with any~~
~~multi-state effort and, if there appears to be a lack~~
40 ~~of leadership, take a leadership role in such an effort;~~

42 (4) Shall actively seek out veterans who may have been
exposed to radiation and toxic chemicals and attempt to
44 involve them in available programs and act as an
ombudsman for them;

46 ~~(5) -- May develop and disseminate written materials on~~
48 ~~atomic radiation and Agent Orange. A booklet must~~
~~include information on the following: the effect of~~
50 ~~exposure on veterans and their children; services~~

2 available--from--the--Veterans'--Administration;--how--to
file--claims--and--class--action--suits;--and--the--names--and
4 addresses--of--state,--local--and--private--agencies--to--which
veterans--may--go--for--assistance.---In--developing--the
6 booklet,--the--division--shall--follow--the--recommendations
of--any--commission--or--committee--that--has--studied--Agent
Orange--and--atomic--radiation--problems;

8
10 (6) May attend conferences that are necessary to carry
out the responsibilities in this paragraph; and

12 (7) Shall maintain the 2 registries of veterans
14 residing in the State, one for Vietnam veterans who
report they were exposed to toxic chemicals while
16 serving in the armed services and one for atomic
veterans who report they were exposed to radiation
18 while serving in the armed services, that were
initially developed in consultation with the former
20 Commission on Vietnam and Atomic Veterans.---To--maintain
the--registries,--the--division--shall--collect--the--names
22 from--existing--registries--and--may--contact--other
organizations,--hold--public--hearings--or--use--other
24 methods--to--collect--the--names--of--veterans.; and

26 (8)---Shall--assign--at--least--one--employee--to--work--on--a
full-time--basis--to--carry--out--the--special--veterans
28 services--required--by--this--subsection.

30 (9) Must ensure that all veterans' counselors have a
working expertise of special veterans services required
32 by this subsection.

34 **Sec. 31. 37-B MRSA §506, sub-§1,** as amended by PL 1993, c.
694, §9, is further amended to read:

36 **1. Claimant or representative.** To the claimant personally,
as to matters concerning the claimant alone, when, in the
38 ~~Director-of-Operation's~~ director's judgment, the disclosure would
not be injurious to the claimant's physical or mental health, or
40 to the claimant's duly appointed guardian or duly authorized
representative holding a power or appointment approved by the
42 supervisor;

44 **Sec. 32. 37-B MRSA §507, first ¶,** as amended by PL 1991, c.
626, §20, is further amended to read:

46 The ~~division~~ bureau may accept federal funds under any
48 federal law now in effect or hereafter enacted that makes these
funds available to the states for:

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2 the 3 bureau directors with the commissioner's authority should
the commissioner be unavailable or unable to act.

4 The bill repeals Title 37-B, section 107 and replaces it
with section 107-A to expand the pool of possible appointees
6 within the senior field grade officer rank of the Maine National
Guard for the Adjutant General's position.

8 The bill amends Title 37-B, section 143 as follows:

10 1. The bill clarifies and simplifies the wording in
12 subsection 1 and consistently uses the term "active state
service."

14 2. The bill authorizes health and dental insurance benefits
16 for those members of the Maine National Guard placed on state
active service orders for more than 15 days for drug enforcement
18 duties or military duty by consent.

20 The bill specifies that fees collected for lodging on behalf
of the Federal Government must be turned in to the Federal
22 Government. Additionally, the legislation does not set the room
charges, which will allow the Military Bureau to set fees using
24 guidelines established by the National Guard Bureau.

26 The bill specifies that the Maine National Guard may charge
for services provided with state authorization. The money
28 collected pays costs of providing those services.

30 The bill replaces the Director of Civil Emergency
Preparedness with the Director of the Maine Emergency Management
32 Agency, and restores the Director of the Bureau of Maine
Veterans' Services to pay range 85.

34 The bill specifies that money will be appropriated for
36 veterans financial educational assistance into a specific
account. The atomic radiation and Agent Orange studies have been
38 completed and therefore references are removed.

40 The bill changes the name of the Department of Veterans'
Services to the Department of Defense, Veterans and Emergency
42 Management to include in its title the Maine Emergency Management
Agency.

44 The bill provides an automatic extension of the power of
46 attorney that a member of the United States Armed Forces Reserves
uses to provide a temporary guardian in their place in the event
48 of their mobilization. If the mobilization exceeds 6 months,
then that power of attorney would be automatically extended until

2 30 days after the service member returns from duty or until order
of the court.