

MAINE STATE LEGISLATURE

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R. O. S.

L.D. 89

DATE: 4-28-99

(Filing No. H-312)

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LEGAL AND VETERANS AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 76, L.D. 89, "Resolve, to Study Standardized Periods of Military Service for Award of State of Maine Veterans' Benefits"

Amend the resolve by striking out the title and substituting the following:

'Resolve, to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits'

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there exist numerous state laws that provide for veterans' benefits that are separately administered by several different state departments and agencies; and

Whereas, these laws recognize varying periods of service for eligibility to receive veterans' benefits; and

Whereas, these nonstandardized periods of service may prohibit certain veterans from receiving certain benefits under state law; and

Whereas, these nonstandardized periods of service have made the administering of veterans' benefits to Maine veterans both inconsistent and confusing, particularly when the periods of

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service conflict with eligibility requirements under federal law;
and

Whereas, several matters concerning the burial of veterans, veterans' property tax exemptions, the maintenance of veterans' gravesites, and the types and extent of medical services offered to veterans and their families, among other issues, have been presented to the 119th Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Committee established. Resolved: That the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits, referred to in this resolve as the "committee," is established; and be it further

Sec. 2. Membership. Resolved: That the committee consists of the following 13 members:

1. Two members of the Senate who also serve as members of the Joint Standing Committee on Legal and Veterans Affairs, appointed by the President of the Senate;

2. Three members of the House of Representatives who also serve as members of the Joint Standing Committee on Legal and Veterans Affairs, appointed by the Speaker of the House of Representatives; and

3. Eight members who represent the joint standing committees listed in paragraphs A to E. The 8 committee members must be drawn equally from both Houses of the Legislature and from the 2 major political parties. The President of the Senate and the Speaker of the House shall appoint from their respective Houses committee members who represent the following committees:

A. The Joint Standing Committee on Health and Human Services;

B. The Joint Standing Committee on Labor;

C. The Joint Standing Committee on State and Local Government;

D. The Joint Standing Committee on Taxation; and

E. The Joint Standing Committee on Transportation; and be it further

Sec. 3. Appointment. Resolved: That appointments must be made within 30 days of the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making the appointments; and be it further

Sec. 4. Chair. Resolved: That the first named Senate member is the Senate chair and the first named House of Representatives member is the House chair; and be it further

Sec. 5. Meetings and Working Groups. Resolved: That the cochairs of the committee shall call and convene the first meeting of the committee within 30 days of the date that the last member is appointed. The committee cochairs may form advisory working groups from among affected agencies, veterans organizations and the public to help carry out its responsibilities; and be it further

Sec. 6. Compensation. Resolved: That the committee members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the committee. Working group members not otherwise compensated for expenses by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses to attend authorized working group meetings; and be it further

Sec. 7. Staff. Resolved: That upon approval of the Legislative Council the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee; and be it further

Sec. 8. Duties. Resolved: That the committee shall study the laws of this State that relate to the award of state veterans' benefits and consider alternatives that will codify and standardize the present laws related to eligibility for benefits based on periods of military service. In examining these issues, the committee shall consider all laws of the State that relate to veterans' benefits, including, but not limited to, those administered by the Department of Defense, Veterans and Emergency Management, the Department of Labor, the Department of Human Services and the Maine State Retirement System. As part of its study, the committee shall:

1. Hold public hearings to gather public comment on veterans' benefit issues. At least one public hearing must be

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2 held in each principal region of the State (north, central and south) as determined by the committee chairs;

4 2. Review and assess all existing laws of the State that contain eligibility criteria for veterans' benefits based on periods of military service, including, but not limited to, laws related to the veterans' property tax exemption, medical care for veterans and their families and veterans' burial. The review and assessment must include the identification of discrepancies and inconsistencies in eligibility criteria based on periods of military service, among other criteria;

12 3. Identify and assess differences among state and federal laws regarding veterans' benefits eligibility criteria;

16 4. Identify and consider alternatives for codifying and standardizing laws regarding eligibility criteria for veterans' benefits based on periods of military service, including eligibility issues as related to peacetime veterans; and

20 5. Recommend appropriate legislation to reflect the findings of the committee; and be it further

24 **Sec. 9. Report. Resolved:** That the committee shall submit a report that must include its findings, together with any recommended legislation, to the Second Regular Session of the 119th State Legislature by December 15, 1999; and be it further

28 **Sec. 10. Appropriation. Resolved:** That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

34 **LEGISLATURE**

36 **Committee to Study Standardized Periods**
38 **of Military Service and Other Matters**
40 **Related to the Award of State of Maine**
Veterans' Benefits

42	Personal Services	\$4,290
	All Other	8,300

44 Provides funds for the per diem and expenses
46 of legislative members and the expenses of
48 other eligible members of the Committee to
50 Study Standardized Periods of Military
Award of State of Maine Veterans' Benefits,

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2 to hold 3 public hearings and to print the
required report.

4 **LEGISLATURE**
6 **TOTAL**

\$12,590

8 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.'

10 Further amend the resolve by inserting at the end before the
summary the following:

12
14 **FISCAL NOTE**

16 **1999-00**

18 **APPROPRIATIONS/ALLOCATIONS**

20 General Fund \$12,590

22 This resolve includes an additional General Fund
24 appropriation of \$12,590 in fiscal year 1999-00 for the
Legislature for the per diem and expenses of legislative members
26 and the expenses of other eligible members of the Committee to
Study Standardized Periods of Military Service and Other Matters
28 Related to the Award of State of Maine Veterans' Benefits, costs
to hold 3 public hearings and to print the required report.

30 The additional costs associated with providing staffing
32 assistance to the committee during the interim between
legislative sessions can be absorbed by the Legislature utilizing
existing budgeted resources.'

34
36 **SUMMARY**

38 In addition to changing the title of the resolve, the
amendment establishes the Committee to Study Standardized Periods
40 of Military Service and Other Matters Related to the Award of
State of Maine Veterans' Benefits, alters the membership of the
42 committee, changes the process of selecting cochairs and
specifically adds the veterans' property tax exemption, veterans'
44 burial eligibility and peacetime veterans' eligibility for
benefits to the issues that are to be examined by the committee.
46 It also requires the committee to hold public hearings to gather
public comment on veterans' benefit issues. The amendment also
adds an appropriations section and a fiscal note.

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