

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 1236

H. P. 1511

House of Representatives, July 10, 1946

Referred to the Committees on Military Affairs and Appropriations and Financial Affairs, jointly. Sent up for concurrence and 1,500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Gay of Damariscotta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SIX

**AN ACT to Provide for the Payment of a Cash Bonus or Bonus Certificate
to Maine Veterans in World War II.**

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

Sec. 1. Veterans in World War II entitled to bonus or bonus certificate of \$200. In order to promote the spirit of patriotism and loyalty, in testimony of the gratitude of the state of Maine, and in recognition of the splendid services of Maine men and women in World War II, every veteran, as hereinafter defined, shall be entitled to receive from the state of Maine, from a fund hereinafter created and called "The Veterans' Bonus Fund," the sum of \$200; or a \$200 bonus certificate to any educational, industrial or vocational institution to defray the expenses of the veteran's education; or a \$200 bonus certificate to the town in which the veteran resides to aid in the payment of any taxes assessed against the real estate of any veteran. Any veteran who served outside of the United States between December 7, 1941 and September 2, 1945 shall receive an additional \$50 cash bonus or bonus certificate.

Sec. 2. The term "veteran" defined. The word "veteran" as used in this act shall mean any male or female officer, soldier, sailor, marine, nurse,

or any other person regularly enlisted or inducted, who has been or is a part of the military or naval forces of the United States in World War II on or after September 16, 1940 and prior to the termination of the war as declared by presidential proclamation or concurrent resolution of the congress, and who was a resident of the state of Maine at the time he or she was commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been or may be given a discharge or release from such service, other than a dishonorable one; provided, however, that the word "veteran," as used in this act, shall not be construed to mean, and shall not include any person who, at any time during the period of World War II, avoided active service because of conscientious objections thereto, or because of alienage, or who has been at any time guilty of fraud or wilful violation or evasion of the Selective Service Act or of the rules or regulations of the War Department in force thereunder.

Sec. 3. Application for bonus or bonus certificate, when and where filed; what application shall contain. Applications for such bonus or bonus certificate shall be filed with the adjutant-general, on forms provided by him, within 6 months from the date this act goes into effect; or, in the case of an applicant whose final discharge from service is received after the date this act goes into effect, within 6 months after the date of such discharge. Such application shall state facts sufficient to establish the status of such applicant as veteran as defined herein, and shall be duly verified.

Sec. 4. "Veterans' Bonus Board" created, powers and duties. There is hereby created a board to be known as "The Veterans' Bonus Board," to consist of the finance commissioner, the treasurer of state and the adjutant-general. It shall be the duty of the said board to examine into such applications and make any other examination necessary to establish facts, and approve or disapprove the same. Whenever any such application is approved by said board, it shall be the duty of the adjutant-general to prepare a voucher and transmit the same to the state controller; said state controller shall issue his warrant therefor, for the amount stated therein, and the treasurer of state shall pay the same out of said Veterans' Bonus Fund.

Sec. 5. Bond issue authorized to provide funds; how fund shall be designated; bonds to mature within 5 years of issue. For the purpose of carrying out the provisions of this act, the treasurer of state is hereby authorized, with the approval of the governor and council, to issue bonds or notes from time to time as they are needed, to an amount not exceeding

in the aggregate \$30,000,000. Such bonds or notes shall be designated "Maine Military Service Loan, Act of 1946," shall mature not more than 5 years from the date thereof, and shall bear such rate of interest, and be in such form and on such terms and conditions, other than those herein specified, as the governor and council may determine. Such bonds or notes shall be issued in the name and behalf of the state, and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale thereof shall be deposited with the treasurer of state to the credit of a fund hereby created, which fund shall be known as "The Veterans' Bonus Fund," and from which the payments hereby authorized shall be made.

Sec. 6. How funds shall be provided for retirement of bonds. The amount necessary to pay said bonds or notes as they mature, and the interest as it accrues, shall be raised by state taxes, levied and collected in the same manner as other state taxes are levied and collected. Beginning April 1, 1947 and for each and every succeeding year for 4 years, there shall be raised a sum sufficient for the redemption of such bonds or notes to an amount not exceeding \$6,000,000 per year and such additional sum as may be required for the payment of interest on all such bonds or notes outstanding. The sums so levied and collected shall be placed in the said Veterans' Bonus Fund, and redemption of said bonds or notes and payment of the interest thereon shall be made from said fund.

Sec. 7. Board authorized to employ assistance for administration. The Veterans' Bonus Board is hereby empowered, subject to the provisions of the personnel law, to employ such assistance and, with the approval of the governor and council, to incur such other expense as may be necessary for the administration and the carrying out of the provisions of this act; and the funds necessary for such administration and carrying out of the provisions of this act shall be expended from said Veterans' Bonus Fund.

Sec. 8. In case of decease of veteran, bonus to be paid to dependents; order of precedence; bonus not subject to assignment nor to claims of creditors. In the case of the decease of any person who would if alive be entitled to the benefits of this act, the sum herein named shall be paid in cash to his or her dependents, if any, and otherwise to his or her heirs-at-law; provided that if there is more than one dependent, or heir-at-law, payments shall in either case be made in such proportions as the said Veterans' Bonus Board shall determine, and in determining the order of precedence the following order so far as practicable shall be observed: spouse and children, mother or father, brother or sister, other dependents; provided, however, that no right or payment under this act shall be subject

to the claims of creditors, capable of assignment and no assignment of the same shall be valid or binding, regarded as assets legal or equitable of the estate of the deceased or made the basis for administration thereof.

Sec. 9. Conditional upon adoption of constitutional amendment; act to become effective upon same date as constitutional amendment. This act shall take effect only upon the adoption in September, 1946, of the proposed amendment to article IX of the constitution providing for the issuing of state bonds for the purpose of paying a cash bonus or bonus certificate to Maine members of the military and naval forces of World War II; and in case of such adoption, shall take effect on the day said constitutional amendment becomes effective.