

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

NINETY - SECOND LEGISLATURE

Legislative Document

No. 1247

House of Representatives, July 19, 1946

Filed with the Clerk of the House for printing or reproduction to be presented by Mr. Jalbert of Lewiston.

HARVEY R. PEASE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SIX

House Amendment B to H. P. 1528, L. D. 1245, Bill "An Act Providing for the Payment of a Bonus to or Insurance Premiums for Maine Veterans of World War II and for the Payment of Other Veterans' Benefits and to Provide for Such Payments by a Sales Tax."

Amend said Bill by striking out the title thereof and inserting in place thereof the following:

'AN ACT to Provide for the Payment of a Cash Bonus of \$200 to Maine Veterans in World War II and Providing for the Raising of Revenue Therefor.'

Further amend said Bill by striking out all after the enacting clause, and inserting in place thereof the following:

'TITLE I

Bonus

Sec. 1. Veterans in World War II entitled to bonus 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.

Sec. 2. The word "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, when and where filed; what application shall contain. Applications for such bonus 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 upon the approval of the governor and council out of said Veterans' Bonus Fund.

Sec. 5. 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 title; and the funds necessary for such administration and carrying out of the provisions of this title shall be expended from said Veterans' Bonus Fund.

Sec. 6. In case of decease of veteran, bonus to be paid to dependents; order of procedure; 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 title, 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 title 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.

TITLE II

Bond Issue

Sec. 1. Bond issue authorized to provide funds; bonds to mature within 20 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 \$20,000,000. Such bonds or notes shall be designated "Maine Military Service Loan, Act of 1946," shall mature not more than 20 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 paid into the general fund and expended in the following manner:

I. Such sum as may be necessary to the credit of a fund hereby created,

which fund shall be known as "The Veterans' Bonus Fund," and from which the payments authorized by Title I shall be made.

Sec. 2. 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 from the taxes levied and collected under the provisions of title III. Beginning April 1, 1947 and for each and every succeeding year for 9 years, there shall be raised from such taxes a sum sufficient for the redemption of such bonds or notes to an amount not exceeding \$2,000,000 per year and such additional sum as may be required for the payment of interest on all such bonds or notes outstanding. The sum so levied and collected shall be paid into the general fund, and redemption of said bonds or notes and payment of the interest thereon shall be made from said fund.

TITLE III

Taxes

Sec. 1. Taxes. There is hereby imposed upon the following articles sold at retail a tax equivalent to the following per cent of the price for which so sold:

- I. 5% tax on admissions to theaters, recreation parks and any other places of recreation and amusement;
- II. An additional 2 mill tax on each cigarette;
- III. 5% tax on perfumes, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous, toilet powders, and any similar substance, article, or preparation, by whatsoever name known or distinguished; any of the above which are used or applied or intended to be used or applied for toilet purposes;
- IV. 5% on radios, phonographs and all musical instruments;
- V. 5% on all athletic and sporting goods, and
- VI. 5% on all luggage, jewelry and furs.

Sec. 2. Use of proceeds of taxes. The proceeds derived from this title shall be devoted to carry out:

- I. The provisions of section 2 of title II; and

II. The payment of the necessary expenses of the administration, collection and enforcement of this act.

TITLE IV

Referendum

This act shall be submitted for approval or rejection to the duly qualified voters of the state of Maine at the general election to be held on the 2nd Monday of September, 1946. The municipal officers of the cities, towns and plantations in this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives to give in their votes upon this act, and the question shall be: "Shall the act to provide for the payment of a cash bonus of \$200 to Maine veterans in World War II and providing for the raising of revenue therefor, as submitted by the 92nd legislature to the people, be accepted?" and the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the act expressing it by making a cross within the square opposite the word "Yes" upon the ballots and those opposed to the act by making a cross within the square opposite the word "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the act, the governor shall forthwith make known the fact by his proclamation and thereupon this act shall become law. The secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.

TITLE V

Conditional upon adoption of constitutional amendment; act to become effective upon same date as constitutional amendment. This act shall take effect only under the provisions of title IV and 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 of \$200 to Maine veterans in World War II; and in case of such adoption shall take effect on the day said constitutional amendment becomes effective.