

MAINE STATE LEGISLATURE

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TITLE 37

VETERANS' SERVICES

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CHAPTER 1

DEPARTMENT OF VETERANS SERVICES

Sec.

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2. Rules and regulations.
3. Duties of commissioner.
4. Annual report.
5. Files and records confidential.

§ 1. Commissioner and personnel

The Department of Veterans Services, as heretofore established and hereinafter in this Title called the "department," shall be under the control and supervision of the Commissioner of Veterans Services, hereinafter in this Title called the "commissioner".

The commissioner shall be a war veteran and a person qualified by experience, training and demonstrated interest in veterans' services.

The commissioner shall be appointed by the Governor, with the advice and consent of the Council, to serve for a term of 4 years and until his successor is appointed and qualified. Any vacancy shall be filled by appointment for a like term. The commissioner shall receive such salary as shall be fixed by the Governor and Council.

The commissioner may employ, subject to the Personnel Law, the necessary assistance to carry out the purposes and pro-

visions of this Title. All employees of the department, with the exception of the clerical personnel, shall be war veterans.

R.S.1954, c. 26, § 1; 1963, c. 60, § 1.

§ 2. Rules and regulations

The commissioner is authorized to adopt such reasonable rules and regulations as are necessary to carry out the purposes and provisions of this Title.

R.S.1954, c. 26, § 2; 1963, c. 60, § 2.

§ 3. Duties of commissioner

The commissioner shall:

1. Claims against United States. Act upon request as the agent of any resident of the State having a claim against the United States for a pension, bounty or back pay arising out of or by reason of any war or any federal military or naval service and prosecute such claims without charge.

2. Cooperation with other agencies. Cooperate with all national, state, county, municipal and private agencies in securing to veterans and their dependents the benefits provided by national, state and county laws, municipal ordinances or public and private social agencies.

3. Cooperation with United States agencies. Cooperate with United States governmental agencies providing compensation, pensions, insurance or other benefits provided by federal law, by supplementing the benefits prescribed therein, when the state law so permits.

4. Statutory duties. Perform the duties as are set forth under this Title.

5. Records. Establish and maintain a permanent record of all members of the armed services from Maine who served in World War II and the Korean Campaign. (1955, c. 460, § 1.)

R.S.1954, c. 26, § 3; 1955, c. 460, § 1; 1963, c. 60, § 2.

§ 4. Annual report

The commissioner shall make a written report of the activities of the department, together with his recommendations, to the Governor annually and at such other times as the Governor may request.

R.S.1954, c. 26, § 4; 1963, c. 60, § 2.

§ 5. Files and records confidential

The contents of, and all files, records, reports, papers and documents pertaining to any claim for the benefits under chapters 1 to 3 whether pending or adjudicated, shall be deemed confidential and privileged and no disclosure thereof shall be made without the consent in writing of the claimant who has not been adjudicated incompetent, except as follows:

1. Claimant or representative. To said claimant personally, his duly appointed guardian or his duly authorized representative holding a power of appointment approved by the commissioner; and as to matters concerning himself alone, when, in the judgment of the commissioner, such disclosure would not be injurious to the physical or mental health of the claimant;

2. Veterans' organizations. To the representatives of veterans' organizations holding power of appointment from the claimant, recognized by the United States Government, when such representatives have been duly certified as such by the state department of any such veterans' organizations in this State;

3. Courts. In any court in this State which has jurisdiction of the parties to, and subject matter of, an action or proceeding therein pending, as found by said court, when required to be produced by the process of such court, as evidence, in such action or proceeding after a judge thereof shall have ruled the same to be relevant and competent evidence in such action or proceeding according to the laws of this State;

4. Agencies engaged in health and welfare work. To any federal, state, municipal or private agency engaged in health, welfare or rehabilitation work or in child placement, from whom the applicant has requested certain services, when in the judgment of the department the release of such information is essential to the proper evaluation of the merits of the application concerned.

R.S.1954, c. 26, § 5; 1963, c. 60, § 2.