

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from combination of electronic originals
and scanned originals with text recognition applied
(electronic original may include minor formatting differences from printed original;
searchable text in scanned originals may contain some errors and/or omissions)

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

**Final Report
of the**

**COMMITTEE TO STUDY STANDARDIZED
PERIODS OF MILITARY SERVICE AND
OTHER MATTERS RELATED TO THE AWARD
OF STATE OF MAINE VETERANS' BENEFITS**

December 1999

Members:

**Sen. Beverly Daggett, Chair
Rep. John L. Tuttle, Jr., Chair
Sen. Richard Carey
Sen. Norman K. Ferguson, Jr.
Sen. Lloyd P. LaFountain, III
Sen. Vinton Cassidy
Sen. Betty Lou Mitchell
Rep. Edward R. Dugay
Rep. Pamela Henderson-Hatch
Rep. Russell P. Treadwell
Rep. Rosita Gagne
Rep. Janice E. Labrecque
Rep. John T. Buck**

Staff:

Christopher Spruce, Legislative Analyst

**Office of Policy & Legal Analysis
Rooms 101/107/135, 13 State House Sta.
Augusta, Maine 04333
(207)287-1670**

Table of Contents

	Page
Executive Summary	1
I. Introduction.....	4
A. Charge to committee	
B. Committee membership	
C. Study timetable	
II. Overview of State of Maine Veterans' Benefits	5
A. Maine Bureau of Veterans' Service	
B. Description of Veterans' Benefits and Responsible Agencies	
C. Veterans' Issues of Concern to MBVS	
D. Maine Veterans' Memorial Cemetery System	
<i>Burial policy</i>	
<i>Other issues affecting the cemetery system</i>	
E. Governor's Working Group on Aging Veterans	
III. Findings and Recommendations	9
A. Public hearing and committee meeting summaries	
B. Committee Findings and Recommendations	

List of References

List of Appendices

- A. Resolves 1999, chapter 78
- B. Committee membership
- C. Crosswalk of State veterans' laws
- D. Property Tax Exemption bulletin
- E. Veterans' special plates summary
- F. Veterans' plates registration table
- G. Letter to committee from E. Adams, Nov. 1, 1999
- H. Letter to Chair Tuttle from E. Adams, Nov. 8, 1999
- I. Summaries of committee meetings and public hearings
- J. Draft legislation and letters to standing committees
- K. Letter to committee from ACEMVM, Nov. 16, 1999
- L. Memo to committee from F. Soares, Nov. 1, 1999
- M. Letter to committee from B. Hamel, Dec. 10, 1999
- N. Letter from committee to B. Hamel, Dec. 15, 1999
- O. Excerpt from new Federal code governing honor guard availability

Executive Summary

Chapter 78 of Resolves, 1999 established the 13-member Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. The committee was charged with studying Maine laws related to the award of state veterans' benefits. The law also charged the committee with considering alternatives that will codify and standardize current laws governing eligibility for state veterans' benefits based on periods of military service. The committee was further instructed to consider all laws of the State related to veterans' benefits. In carrying out its study, the committee was required to:

- Hold at least three public hearings in each principal region of the State to gather public comment on veterans' benefit issues
- Review and assess all existing State laws that contain eligibility criteria for veterans' benefits based on periods of military service
- Identify and assess differences among State and Federal laws regarding veterans' benefits eligibility criteria
- Identify and consider alternatives for codifying and standardizing laws regarding veterans' benefits eligibility based on periods of military service, including "peace-time" veteran eligibility issues
- Recommend appropriate legislation to reflect the findings and recommendations of the committee

The first meeting of the study committee was held on September 20, 1999 in Augusta. The committee held public hearings in October and November in Scarborough, Caribou, Bangor and Augusta. It held its final committee meeting on November 15, 1999 in Augusta.

The Committee makes the following recommendations:

1. The committee unanimously* recommends legislation to provide the Maine Bureau of Veterans' Services (MBVS) funding to restore full-time clerk positions to all regional MBVS field offices (4 additional ½time positions) and create a clerk position in the Springvale office (1 full-time position). The committee recommends that the legislature endorse an additional appropriation of \$55,000 for FY 2000-01 to fund these positions. The committee also unanimously recommends an appropriation of \$60,000 for the MBVS to fund the purchase of new computers, software and staff training in computer applications.

2. The committee unanimously urges passage of LD 1934, *Resolve, to Reinstate Emergency Assistance for Dependents of Veterans*, which was carried over to the Second Regular Session by the Joint Standing Committee on Appropriations and Financial Affairs. The committee also recommends that legislation be submitted to classify the funds provided to veterans or dependents under this program as "general or public assistance" funds to ensure that the veteran or dependent is also eligible for free legal services. The committee supports such a bill with the stipulation that the funds appropriated for this program, despite a general or public assistance classification, continue to be administered by the Department of Defense, Veterans and Emergency Management (DVEM).

3. The committee unanimously recommends legislation to exempt from paying either a registration fee or a title fee qualified veterans acquiring Pearl Harbor Survivor or Purple Heart Recipient plates and to clarify that Title 29-A, Section 603, subsection 5 exempts veterans acquiring a Former Prisoner of War plate from paying title fees. The committee also unanimously recommends that veterans qualifying for the Special Veteran plate pay a reduced registration fee of \$5.00 for the privilege of acquiring and displaying the Special Veteran plate.

4. A majority of the committee recommends that eligibility for the veterans' property tax exemption benefit should be broadened to so-called "peace-time" veterans. The majority recommends that any honorably discharged veteran of active service in the Armed Forces be eligible to receive the veterans' property tax exemption at age 62. The majority recommends that the State reimburse a municipality 100% of the property tax revenue loss suffered by a municipality in the preceding calendar year as the result of any property tax exemptions or credits represented by the expansion of this benefit after its effective date. The committee recommends that the Maine Revenue Services be directed to notify by mail all municipalities of this new exemption at least 60 days prior to its effective date.

5. The committee unanimously voted to send a letter to the Joint Standing Committee on Education and Cultural Affairs requesting that the committee examine the issue of funding of veterans' education and determine whether there is a need for a program such as the one proposed by the Advisory Council on Education of the Military and Veterans in Maine.

6. The committee voted unanimously to recommend legislation to require the Commissioner of DVEM to report at the beginning of each biennium to the Joint Standing Committee on Legal and Veterans' Affairs on any recommended changes or modifications to veterans laws as they appear in Maine Revised Statutes Annotated. This report will include any changes in State veterans' statutes required by changes in Federal law or regulation.

7. The committee voted unanimously to recommend that the Commissioner of DVEM undertake a study of the laws governing eligibility for state veterans' benefits and to report back to the First Regular Session of the 120th Legislature with recommendations to address the inconsistencies in eligibility criteria for State veterans' benefits.

8. The committee unanimously recommends legislation to appropriate to the Maine Veterans' Memorial Cemetery (MVMC) System additional operational funds totaling \$65,000 in FY 2000-01. The committee unanimously recommends that a letter from the committee be sent to the Loring Development Authority (LDA) requesting that the Authority ensures that the buildings it plans to donate to the Aroostook veterans' cemetery are in serviceable or imminently reparable condition. The committee is further requesting that the LDA report to the Joint Standing Committee on Legal and Veterans' Affairs on the Authority's progress in providing the buildings to the cemetery. This report must be made in writing by March 1, 2000. The committee unanimously recommends legislation to

designate MVMC rules as major substantive rules, which are subject to legislative review effective August 1, 2000. This designation will, among other things, require the DVEM to participate in consensus-based rule development process in advance of rulemaking. Future adoption of rules or amendment of existing rules governing graveside services would be subject to legislative review before they could be implemented.

9. The committee unanimously recommends legislation to repeal a requirement that state employees have served during a federally-recognized period of conflict to be eligible to purchase military service time for credit toward their Maine State Retirement System service years. The committee unanimously recommends that the period of state employment required for buyback eligibility be reduced from 15 years to 5 years.

10. The committee unanimously recommends that the MBVS study informational outreach strategies, including use of free and paid advertising in electronic and print media, the department's Internet website, mailings, partnering with private industry and public service organizations, among others, to develop a statewide communications program to inform Maine veterans of available State benefits. These strategies must be particularly targeted to those veterans not involved in a veterans' service organization or to those veterans already involved in or knowledgeable about veterans' issues. The MBVS must report its findings and recommendations to the Joint Standing Committee on Legal and Veterans Affairs by March 1, 2000.

11. The committee recommends that any shelter for homeless persons operating in this State attempt to identify the veterans among their client populations and to refer these individuals to the nearest regional office of the MBVS. The committee recommends that any state agency or board providing public funds to any homeless shelter operating in this State require those shelters to report to that agency or board those individuals in their client population who have been identified as veterans. The committee recommends that the departments and agencies providing public funds to homeless shelters develop administrative policies requiring efforts to identify of homeless veterans, as well as regular reports on those efforts.

**Note: "Unanimously" represents only those members present and voting at the November 15, 1999 committee meeting.*

I. INTRODUCTION

During the first session of the 119th Legislature, Rep. Michael McAlevey sponsored an emergency resolve requesting a study of state veterans' benefits eligibility requirements that are based on federally recognized periods of military service. Both Houses referred the resolve, LD 89, to the Joint Standing Committee on Legal and Veterans' Affairs. As the result of a public hearing and several work sessions on the resolve, the committee voted to expand the scope of the study to include a number of matters related to State of Maine veterans' benefits. The Legislature unanimously passed the amended resolve on June 5, 1999 and Governor Angus King signed it into law on June 17, 1999. As an emergency resolve, the law became effective on that date.

A. Charge to Committee

Chapter 78 of Resolves, 1999 (*See Appendix A*), established the 13-member 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 report as "the committee"). The committee was charged with studying Maine laws related to the award of state veterans' benefits. The law also charged the committee with considering alternatives that will codify and standardize current laws governing eligibility for state veterans' benefits based on periods of military service. The committee was further instructed to consider all laws of the State related to veterans' benefits. In carrying out its study, the committee was required to:

- Hold at least three public hearings in each principal region of the State to gather public comment on veterans' benefit issues
- Review and assess all existing State laws that contain eligibility criteria for veterans' benefits based on periods of military service
- Identify and assess differences among State and Federal laws regarding veterans' benefits eligibility criteria
- Identify and consider alternatives for codifying and standardizing laws regarding veterans' benefits eligibility based on periods of military service, including "peace-time" veteran eligibility issues
- Recommend appropriate legislation to reflect the findings and recommendations of the committee

B. Committee Membership

As required by Chapter 78 of Resolves, 1999, the committee was comprised of 13 members drawn from five different policy committees that provide oversight of various veterans' benefit issues. Members also represented all regions of the State. Joint standing committees represented on the study committee were:

- Legal and Veterans' Affairs
- Taxation

- Transportation
- Labor
- Health and Human Services

The Presiding Officers appointed 6 committee members from the Senate and 7 from House. (*See Appendix B for a complete list of members.*) State Sen. Beverly Daggett serves as Senate Chair; State Rep. John Tuttle serves as House Chair.

C. Study Timetable

The first meeting of the study committee was held on September 20, 1999 in Augusta. The committee held public hearings in October and November in Scarborough, Caribou, Bangor and Augusta. It held its final committee meeting on November 15, 1999 in Augusta.

Chapter 78 requires that the committee submit a report on its findings and recommendations to the Second Regular Session of the 119th Legislature by December 15, 1999. The following report represents the committee's fulfillment of that requirement.

II. OVERVIEW OF STATE OF MAINE VETERANS' BENEFITS

A. Maine Bureau of Veterans Services

State benefits for Maine's approximately 149,000 veterans are administered by several different state agencies. However, the central responsibility for veterans' services resides within the Maine Bureau of Veterans' Services (MBVS) within the Department of Defense, Veterans and Emergency Management (DVEM) (*See Charts 1 and 2*). The mission of the MBVS is to serve the veterans of Maine, their dependents and survivors in all matters pertaining to veteran's benefits. The MBVS is comprised of 7 regional veterans' services offices and one claims office located at the Togus Veterans Medical Center.

The most important function of the MBVS is claims representation. In FY 1998-99, the seven regional offices represented nearly 29,000 clients. Additionally, the offices represented more than 900 requests to the U.S. Department of Veterans affairs (USDVA). The Togus Claims Offices, acting as the veterans' advocate, filed nearly 1,600 claims on behalf of veterans or their dependents. Actions taken by MBVS resulted in new awards by USDVA in excess of \$16 million in FY 1998-99.

B. Description of Veterans' Benefits and Responsible Agencies

As noted above, veterans' benefits are administered by several state and local agencies. (*See Appendix C for a crosswalk of veterans' laws and the state agency responsible for each of those laws.*) Among the State benefits available to veterans are:

- *Veterans Dependents Educational Benefits Program*: Tuition is waived for eligible dependents who attend a state-supported post-secondary institution. The program is administered through MBVS.
- *Local property tax exemptions*: For qualified veterans aged 62 or over and 100% disabled veterans, the program is administered by the Maine Revenue Services in cooperation with the state's municipal governments. (See Appendix D for a detailed description of the exemption.)
- *Maine Veterans' Homes*: A system of five nursing home facilities located throughout the State, which was established by public vote in 1977 to provide support and care for honorably discharged veterans who served in the U.S. Armed Forces during a wartime period. A director and a board of trustees administer the Maine Veterans' Homes.
- *Maine Veterans Memorial Cemetery (MVMC)*: Offers free burial to honorably discharged veterans and their qualified dependents in the MVMC in Augusta. MVMC is a division of the MBVS. The system is in the process of expanding the Augusta cemetery and is expected to open a veterans' cemetery in Caribou within the next year.
- *Veterans Small Business Loan Program*: Eligible veterans may obtain business loans through local lending institutions, a percentage of which will be guaranteed by the Finance Authority of Maine (FAME).
- *Recreational licenses*: Complimentary licenses for veterans aged 70 and older and for service-connected disabled war veterans who are 70% or more disabled. The licenses are for hunting, fishing and trapping. The Department of Inland Fisheries and Wildlife administers the program in cooperation with municipal officials.
- *Special veterans' license plates*: The Bureau of Motor Vehicles within the Office of Secretary of State administers the distribution of seven different veterans' license plates. (See Appendices E and F for summaries of the fee exemptions and the eligibility requirements for the veterans' plates.)
- *Counseling for Vietnam and Atomic Veterans*: MBVS have counselors available to assist veterans who have been exposed to Agent Orange and radiation.

C. Veterans Issues of Concern to the MBVS

Frank Soares, Director of the MBVS, described the challenges facing the bureau, as well as the issues that concern Maine veterans in his several appearances before the committee. Chief among those challenges are:

- Providing funding for the veterans emergency financial aid program, which is authorized by 37-B MRSA, Section 505, but which has not been funded since the budget cuts in the early 1990s. A minimum of \$200,000 a year will be needed to fund this program in addition to the return of two positions within MBVS to assist in administering the program. These positions were eliminated when the program funding was discontinued. The Joint Standing Committee on Appropriations and Financial Affairs has carried over a resolve that calls for replenishing the fund at the \$200,000 level in each year of the current biennium.

- Most field offices of the MBVS have had only part-time clerical help since the 1990 budget cuts. To improve efficiency and responsiveness, those positions must be returned to full-time status. (*See Table 1 for detail on field office budgets for FY 2000.*)
- Computer technology in the field offices lags well behind state-of-the-art. The regional offices require new computers and software and ability to link electronically with the Claims Office at Togus.
- Training funds are limited. The bureau needs additional funds to provide training to new personnel and to update veteran organizations service offices on the newest techniques and procedures in service delivery.
- The Commission on Women Veterans has identified the needs of women's veterans, but now needs funding to further their work.

Among issues of concern to veterans, according to Soares, are:

- Taxing of veteran pensions and military retiree pensions
- Standardizing periods of service re: eligibility for benefits
- Updating State laws to reflect Federal changes in veterans' benefits
- The cost of drug prescriptions
- Awareness of Federal and State veterans' benefits

D. Maine Veterans Memorial Cemetery System

Burial Policy

Few issues came to the committee's attention that were more emotional than those related to the graveside burial policies at MVMC. Augusta area veterans asked the committee to help them get reversed the current MVMC policy that does not allow graveside burial services. The policy that exists, according to DVEM Commissioner, Maj. Gen. Earl Adams, was put into effect three years ago to protect the health and safety not only of mourners, but also cemetery workers. The Occupational Safety and Health Administration has cited the cemetery for violating safety rules related to construction sites in carrying out burials. In a letter to the committee (*See Appendix G*), Gen. Adams offered the following reasons for the graveside burial ban:

- The old cemetery is nearly out of burial space and is continuously building new areas for burials. These new burial sites are all in undeveloped ground and are essentially construction sites;
- Concerns about the public in an unimproved construction site and the need to use special safety equipment and procedures;
- Weather conditions may make the ground rough and some family members may not be able to safely traverse that terrain; and
- The cemetery staff sometimes has difficulty in getting grieving family members to leave the burial site in a timely manner. This could delay other families awaiting a burial service for their loved ones.

Gen. Adams also noted that complaints about the policy have been minimal and have generally come from residents of the Augusta area. The commissioner advised the committee that changing the current policy would require, at the very least, the hiring of an additional burial crew at MVMC. In a letter to committee co-chair, Rep. John Tuttle, Gen. Adams estimated the cost of the additional crew and equipment at approximately \$151,000 (*See Appendix H*).

Other Issues Affecting the Cemetery System

The committee was presented by MBVS staff with other concerns that bureau has about the veterans' cemetery system. These include:

- The system has been under funded for years and received its first “get well” budget in FY 1999;
- Other New England States' veterans cemeteries receive several times the funding of MVMC (*See Chart 3*);
- Much of the cemetery's equipment is in excess of 30 years old and needs to be replaced;
- The old Augusta cemetery will run out of burial space next year just as the new cemetery is scheduled to open; and
- Burial needs have increased dramatically in recent years.

The dramatic increase in burials reflects a national trend resulting from the aging of the World War II veteran population. This upward trend will peak between the years 2008 and 2012 and then fall off. Annual burials at MVMC, which exceeded 550 between October 1, 1998 and October 1, 1999, are expected to reach 700 by 2001. (*Chart 4 depicts the actual and projected burials at MVMC, less the anticipated 25% increase resulting from an expansion in burial eligibility approved by the Legislature in the First Regular Session.*) Public Law 1999, chapter 517 opens burial eligibility to all honorably discharged veterans and their eligible dependents.

Additional operating funds for the Caribou veterans' cemetery and the expanded Augusta Cemetery are also needed.

E. Governor's Working Group on Aging Veterans

On a number of occasions during the committee's public hearings, reference was made to a report issued by the Governor's Working Group on Aging Veterans in May 1998. Many of the issues and recommendations contained in that report are echoed in this report and in a report issued this month by the Commission to Examine the Adequacy of Services at the Togus Veterans Administration Medical Center. Issues included in the report on Aging Veterans that have not been specifically addressed here remain valid. The committee reviewed the 1998 Working Group report and, in general, supports its recommendations.

III. FINDINGS AND RECOMMENDATIONS

A. Public Hearing and Committee Meeting Summaries

As noted in Section 1, the committee held four public hearings in four regions of the State. Testimony at each of these hearings touched on a wide-range of veterans' issues, some of which were related to Federal laws and some of which were directed to State laws. Among issues raised in testimony before the committee were:

Hearing in Scarborough

- Provide veterans the Federal benefits promised when they enlisted
- Provide more assistance/benefits for war-time veterans
- Encourage veterans to help veterans with awareness of benefit availability and eligibility
- Remoteness of Togus from southern Maine population centers

Hearing in Caribou

- Require the Loring Development Authority to donate a surplus building for use at the cemetery
- Ensure availability of operating for the Caribou cemetery
- Full-time office help for Regional MBVS field officer
- Include private schools/program tuition for disabled veterans' dependents' education
- Provide state income tax exemption on military retirement pay
- Do more to inform veterans of their eligibility for benefits

Hearing in Bangor

- Amend the resolve proposing funding for veterans emergency assistance (LD 1934) to classify these funds as general or public assistance funds to make those veterans eligible for free legal assistance
- Create an easy to read and accessible informational pamphlet informing veterans of rights and benefits
- Fund a veterans' advocate within Pine Tree Legal Assistance, Inc.

Hearing in Augusta

- Provide low-cost loans for veterans' education to supplement the G.I. Bill
- Allow graveside services at MVMC
- Maintain veterans' graves in municipal cemeteries
- Expand benefit definitions to include all honorably discharged veterans

(Summaries of the four public hearings and the committee meetings are included in Appendix I.)

B. Committee Findings and Recommendations

Staffing of Regional Offices of the Bureau of Veterans' Services

The Director of the Maine Bureau of Veterans Services is authorized to employ necessary personnel to administer State veterans' laws (37-B MRSA §503, sub-§1). The bureau currently operates 7 field offices and a claims office at the Togus Medical Center, most of which are staffed by a field officer and half-time support staff. In addition to assisting veterans with State benefits, the field and claim offices assist the Director in carrying out his charge to represent veterans in their claims against the Federal Government for "any compensation, pension, insurance, loan or other benefit accruing as a result of any federal military service" (37-B MRSA §503, sub-§3).

Findings: The regional field offices of the Maine Bureau of Veterans' Services are seriously understaffed with respect to clerical staff. Four of the regional field offices have only part-time support staff and one field office has no support staff. These positions need to be restored to the pre-budget cut level to provide adequate services to veterans throughout the state. The new positions will increase the MBVS personnel budget by approximately \$55,000 in FY 2000-01. Further, the regional field offices are lagging technologically in comparison with many other State service offices. The field offices need new computers, new software and the capacity to link electronically with the Togus Claims Office. The staff also needs training in the new computer applications. The MBVS estimates an appropriation of \$60,000 will be needed to purchase the computers and software and to provide training to staff.

Recommendations:

- **The committee unanimously recommends legislation to provide the MBVS funding to restore full-time clerk positions to all regional MBVS field offices (4 additional ½ time positions) and create a clerk position in the Springvale office (1 full-time position).**
- **The committee recommends that the legislature endorse an additional appropriation of \$55,000 for FY 2000-01 to fund these positions. The committee also unanimously recommends an appropriation of \$60,000 for the MBVS to fund the purchase of new computers, software and staff training in computer applications.**

(See Appendix J for all draft legislation and letters to standing committees related to recommendations and findings in Section III. Note: The study committee recommends that all legislation be referred to the Joint Standing Committee on Legal and Veterans' Affairs and, where appropriate, be jointly referred.)

Emergency Assistance for Veterans and their Dependents

Aid to veterans and their dependents is authorized under 37-B MRSA §505. This section authorizes the granting of financial assistance to veterans and their dependents "in dire need" (sub-§1, ¶C) and sets forth criteria for eligibility and levels of assistance. It also authorizes the granting of up to \$300 per year toward the cost of higher education for the spouse or child of a veteran killed or totally disabled as the result of military service (sub-§2). Among other things, the program represents a financial safety net to veterans or their dependents while they are waiting for the Veterans Administration to act on their claims.

Findings: The committee heard frequent testimony at its four public hearings across the State urging reinstatement of funding for Section 505, which has not been funded since the budget reductions of 1990. The Joint Standing Committee on Appropriations and Financial Affairs carried over to the Second Regular Session a bill to reinstate the veterans' emergency assistance program (LD 1934). The resolve proposes to appropriate \$200,000 in each of fiscal years 1999-00 and 2000-01 to the Department of Defense, Veterans and Emergency Management to support Section 505. The committee was asked by a veteran at one public hearing to support an amendment to LD 1934 to classify the emergency funds provided to veterans or dependents under this program as general assistance to ensure that the veteran or dependent is also eligible for free legal services while receiving the emergency funds.

Recommendations:

- **The committee unanimously urges passage of LD 1934, *Resolve, to Reinstate Emergency Assistance for Dependents of Veterans*, which was carried over to the Second Regular Session by the Joint Standing Committee on Appropriations and Financial Affairs.**
- **The committee also recommends that legislation be submitted to classify the funds provided to veterans or dependents under this program as “general or public assistance” funds to ensure that the veteran or dependent is also eligible for free legal services. The committee supports such a bill with the stipulation that the funds appropriated for this program, despite a general or public assistance classification, continue to be administered by the DVEM.**

Veterans' Motor Vehicle License Plate Exemptions

Title 29-A requires the Secretary of State to issue special plates honoring veterans in seven categories: Medal of Honor recipients (§524(1)), Pearl Harbor Survivors (§524(3)), Former Prisoners of War (§524(2)), Purple Heart recipients (§524(4)), veterans who are blind or amputees (§523(1)), disabled veterans (§523(1), (2)) and any honorably discharged active duty veteran (§523(3)). In some categories, eligible veterans pay only excise and sales taxes; in other categories, the eligible veterans not only pay excise and sales taxes, but also registration and title fees (*See Table 2 for a complete listing of plate category and fees*); in one category (Former Prisoners of War), eligible veterans pay a registration fee, but no title fee. The Bureau of Motor Vehicles has issued a total of 14,657 veterans' plates in all categories. The Bureau estimates that the exemptions from registration fees for veterans' plates total about \$60,000 annually, while the exemptions from title fees for veterans' plates represent a one-time cost of about \$36,000.

Finding: In reviewing the various special veterans' license plates during its study, the committee learned that three category of veterans are not exempt from a registration fee, a title fee, or both in acquiring plates for which they qualify. Not exempt from paying the title fee are veterans acquiring the Pearl Harbor Survivor plate, the Former Prisoner of War plate and the Purple Heart Recipient plate. Not exempt from the \$25 registration fee are those obtaining the Pearl Harbor Survivor plate and the Purple Heart Recipient plate. The committee also noted that honorably discharged veterans obtaining the Special Veteran plate (red “V” plate) are not exempt from any

of the fees. Further, the committee learned that pursuant to Title 29-A, section 603, subsection 5, “(o)wners exempt from registration fees are also exempt from title fees.”

Recommendations:

- **The committee unanimously recommends legislation to exempt from paying either a registration fee or a title fee qualified veterans acquiring Pearl Harbor Survivor or Purple Heart Recipient plates and to clarify that Section 603, subsection 5 exempts veterans acquiring a Former Prisoner of War plate from paying title fees.**
- **The committee also unanimously recommends that veterans qualifying for the Special Veteran plate pay a reduced registration fee of \$5.00 for the privilege of acquiring and displaying the Special Veteran plate.**

Property Tax Exemption

Veterans aged 62 or over who have served in a federally recognized war period are eligible to receive an exemption on their estates of up to \$5,000 of the property’s valuation (36 MRSA §653, sub-§1, ¶C). Veterans of any federally recognized war period during or before World War I are eligible for an exemption of up to \$7,000 (36 MRSA §653, sub-§1, ¶C-1). Disabled veterans who meet eligibility criteria are entitled to a property tax exemption of up to \$47,500 of the property’s valuation (36 MRSA §653, sub-§1, ¶D-1). The unmarried widow or minor child of a deceased veteran who was entitled to an exemption under C-1 also is entitled to a \$7,000 exemption of the valuation of their property (36 MRSA §653, sub-§1, ¶D-2). The unmarried widowed mother of a veteran whose death was service-connected also is eligible for a \$7,000 exemption after age 62 (36 MRSA §653, sub-§1, ¶D-3). The State currently reimburses Maine municipalities about \$900,000 annually for municipal tax revenues lost to various veterans’ tax exemptions. Pursuant to Title 36, section 661, the State is required to reimburse towns for 50% of tax revenues lost for any property tax exemption or credit enacted after April 1, 1978. Veterans’ property tax exemptions claimed prior to April 1, 1978, for which the municipalities must bear 100% of the lost tax revenues, represent a total local tax-shift of about \$3.5 million a year for Maine communities.

Finding: A number of veterans petitioned the committee to broaden eligibility for the veterans’ property tax exemption. The expanded eligibility would cover all honorably discharged veterans, aged 62 or over, who are residents of the State and who own real or personal property. The Maine Revenue Service has preliminarily estimated that this proposed eligibility change could result in an additional cost to the State of \$430,000 in FY 2001, \$509,000 in FY 2002 and \$587,000 in FY 2003.

Recommendations:

- **A majority of the committee (9-1) recommends that eligibility for the veterans’ property tax exemption benefit be broadened to so-called “peace-time” veterans. The committee recommends that any honorably discharged veteran of active service**

in the Armed Forces be eligible to receive the veterans' property tax exemption at age 62.

- **The committee recommends that the State reimburse a municipality 100% of the property tax revenue loss suffered by a municipality in the preceding calendar year as the result of any property tax exemptions or credits represented by the expansion of this benefit after its effective date.**
- **The committee recommends that the Maine Revenue Services be directed to notify by mail all municipalities of this new exemption at least 60 days prior to its effective date.**

Veterans' Education

The Advisory Council on the Education of the Military and Veterans in Maine (ACEMVM) has proposed that the State establish a Maine Veterans' Higher Education Loan Program Fund (*See Appendix K for ACEMVM letter to committee*). This program will be open to veterans and select reservists who also are eligible for the Montgomery G.I. Bill. The loan would be used by the veteran to supplement his or her G.I. Bill benefits, which presently are not adequate to cover the cost of a veteran's post-secondary education. The low-interest loan of up to \$5,000 per year would be available to eligible veterans for two years. The loan would have to be repaid beginning six months after graduation or upon discontinuance of post-secondary course work by the veteran. The fund created for this program would be a non-lapsing revolving fund to provide direct loans or to secure other loans for veterans who have insufficient access to other sources of financial assistance. The Governor's Working Group on Aging Veterans in 1998 proposed a similar program.

Finding: Benefits provided veterans under the Federal Montgomery G.I. Bill have not kept pace with the rising cost of education over the years. As a result, many veterans need additional assistance to continue with their education once their Federal benefits have been exhausted. Not only do these veterans need assistance with educational costs, they also need funds to help support their families while they complete their education. Some committee members were concerned that the loan program proposed by ACEMVM might duplicate existing state-funded educational loan programs for which veterans already are eligible.

Recommendation:

- **The committee unanimously voted to send a letter to the Joint Standing Committee on Education and Cultural Affairs requesting that the committee examine the issue of funding of veterans' education and determine whether there is a need for a program such as the one proposed by ACEMVM.**

Tracking Changes in Veterans' Benefit Laws

The Director of MBVS advised the committee that consolidating veterans' laws into a single title may be helpful for some, but that such a change may be difficult for several others, particularly

those who work with the statutes on a regular basis and, for example, expect to find laws governing tax exemptions in the title governing taxation.

Finding: No State agency currently has statutory responsibility for tracking changes in federal laws and regulations and making sure that they are appropriately reflected in State veteran statutes. That responsibility appropriately belongs to the Commissioner of Defense, Veterans and Emergency Management. The commissioner should be required to report any recommended changes or modifications to veterans laws, as they appear in Maine Revised Statutes, to the Joint Standing Committee on Legal and Veterans' Affairs each biennium.

Recommendation:

- **The committee voted unanimously to recommend legislation to require the Commissioner of Defense, Veterans and Emergency Management to report at the beginning of each biennium to the Joint Standing Committee on Legal and Veterans' Affairs on any recommended changes or modifications to veterans laws as they appear in Maine Revised Statutes Annotated. This report will include any changes in State veterans' statutes required by changes in Federal law or regulation.**

Veterans' Benefits Eligibility Criteria Study

No single, consistent definition of "veteran" currently exists in Maine law. Benefit eligibility requirements are equally inconsistent. Even though these inconsistencies are a source of frustration to veterans and State officials alike, establishing one definition or one criterion for all benefits could result in significant additional costs to the State for which funding would be difficult to find.

Findings: The committee lacks sufficient time and resources to study the eligibility issue in the detail necessary to make recommendations. The committee recognizes the importance of the issue, however, and endorses the Director of MBVS' recommendation that the Commissioner of DVEM undertake a study of the laws governing eligibility for state veterans' benefits and report back to the First Regular Session of the 120th Legislature with recommendations to address the inconsistencies in eligibility criteria for State veterans' benefits. (*See Appendix L, Memorandum from F. Soares to Committee, Nov. 1, 1999*)

Recommendation:

- **The committee voted unanimously to recommend that the Commissioner of DVEM undertake a study of the laws governing eligibility for state veterans' benefits and to report back to the First Regular Session of the 120th Legislature with recommendations to address the inconsistencies in eligibility criteria for State veterans' benefits.**

Maine Veterans' Memorial Cemetery

The Maine Veterans' Memorial Cemetery is currently expanding with the addition of new acreage in Augusta that will accommodate up to 35,000 new burial plots and acreage in Caribou that will accommodate 46,000 new plots. Burials at the current cemetery in Augusta, which has a capacity of 16,000 plots, have increased dramatically in recent years and will continue to climb through the first decade of the new century.

Findings: During the study, the committee learned that approximately \$65,000 in funding is needed in FY 2000-01 to assist in the expansion of the Maine Veterans' Memorial Cemetery system in Augusta and Caribou. The State-funded survey of the 60-acre site in Caribou is nearing completion and a formal opening of the cemetery is being planned for Memorial Day 2000. The committee also was informed that local veterans had been unsuccessful in obtaining surplus military buildings from the Loring Development Authority (LDA) for use at the Caribou cemetery location. However, a representative of the LDA advised the committee that the Authority has been attempting to work with the Aroostook veterans' cemetery group to provide the needed buildings. (*See Appendix M, Letter from Brian Hamel to Senator Daggett, December 10, 1999.*) Additionally, a number of veterans from the Augusta area urged the committee to require the MVMC to offer graveside burial services at the Augusta cemetery. Such services are currently prohibited by cemetery rules.

Recommendations:

- **The committee unanimously recommends legislation to appropriate to the MVMC System additional operational funds totaling \$65,000 in FY 2000-01.**
- **The committee unanimously recommends that a letter be sent to the Loring Development Authority requesting that the Authority ensures that the buildings it plans to donate to the Aroostook veterans' cemetery are in serviceable or imminently reparable condition. The committee is further requesting that the LDA report to the Joint Standing Committee on Legal and Veterans' Affairs on the Authority's progress in providing the buildings to the cemetery. This report must be made in writing by March 1, 2000. (*See Appendix N, Letter Sen. Daggett to Brian Hamel, December 15, 1999.*)**
- **The committee unanimously recommends legislation to designate MVMC rules as major substantive rules, which are subject to legislative review effective August 1, 2000. This designation will, among other things, require the DVEM to participate in consensus-based rule development process in advance of rulemaking. Future adoption of rules or amendment of existing rules governing graveside services would be subject to legislative review before they could be implemented.**

Purchasing Military Service Time toward MSRS

Several veterans who are state employees made inquiries to the committee about the issue of buying military service time to credit toward their Maine State Retirement System years of service. Current law requires that a state employee have 15 years of creditable state service before becoming eligible to credit up to four years of full-time active duty toward his or her

MSRS years of creditable service (5 MRSA §17760, sub-§2, ¶A). Employees eligible for the benefit must have served during a federally recognized war period to qualify to apply their military service time to MSRS unless the years of active duty were prior to January 1, 1976 (§17760, sub-§2, ¶D-E).

Findings: The committee was concerned that the wartime service requirement of section 17760, which has been in effect since 1985, does not fairly treat peacetime veterans who, as eligible state employees, may wish to buy back some of their military service time. Among other things, the committee noted that former members of Vista, Peace Corps and others organizations who served in non-military capacities overseas have been extended the right to buy back their service time. The committee also noted that the 119th Legislature lowered the vesting requirement for all state employees to 5 years of creditable state service effective October 1, 1999 (Public Laws 1999, chapter 489). The committee also concluded that the 15-year vesting requirement in section 17760 should be lowered from 15 to 5 years to make it consistent with the new vesting requirement.

Recommendations:

- **The committee unanimously recommends legislation to repeal a requirement that state employees must have served during a federally-recognized period of conflict to be eligible to purchase military service time for credit toward their MSRS service years.**
- **The committee unanimously recommends that the period of state employment required for buyback eligibility be reduced from 15 years to 5 years.**

Communicating Benefit Information to Veterans

Ensuring that eligible veterans are apprised of the benefits available to them has challenged veterans' services providers for many years. The MBVS offers itinerant services throughout the State in addition to regular hours at regional field offices. Community service announcements are offered to print and electronic outlets. Each of the veterans' service organizations assigns members to assist the veteran in obtaining benefits. The bureau, veterans' organizations and others also undertake additional outreach efforts.

Finding: The committee heard frequently that many veterans were not aware of their eligibility for State veterans' benefits. The committee learned that some of this lack of awareness may be the result of lack of education, some may result from a lack of understanding of eligibility requirements, and some may be the result of an inadequate public information/outreach effort by State officials and veterans' organizations.

Recommendations:

- **The committee unanimously recommends that the MBVS study informational outreach strategies, including use of free and paid advertising in electronic and print media, the department's Internet website, mailings, partnering with private industry and public service organizations, among others, to develop a statewide communications program to inform Maine veterans of available State benefits.**

These strategies must be particularly targeted to those veterans not involved in a veterans' service organization or to those veterans already involved in or knowledgeable about veterans' issues. The MBVS must report its findings and recommendations to the Joint Standing Committee on Legal and Veterans' Affairs by March 1, 2000.

Homeless Veterans

The National Coalition for Homeless Veterans estimates that an average of one-third of the nation's homeless are veterans. A 1994 report by the Coalition estimated that on any given night in May of that year, homeless veterans accounted for 1,740 of Maine's homeless citizens. Many of these veterans may be eligible for State and Federal benefits. But homeless shelters in Maine are not required to identify veterans among their clients when reporting to public agencies that provide public funds to the shelters.

Finding: A failure to identify veterans among the homeless shelters' populations means that Maine's homeless veterans may not be receiving information about veterans' benefits or services for which they may be eligible.

Recommendations:

- **The committee recommends that any shelter for homeless persons operating in this State attempt to identify the veterans among their client populations and to refer these individuals to the nearest regional office of the Maine Bureau of Veterans' Services.**
- **The committee recommends that any state agency or board providing public funds to any homeless shelter operating in this State require those shelters to report to that agency or board those individuals in their client population who have been identified as veterans.**
- **The committee recommends that the departments and agencies providing public funds to homeless shelters develop administrative policies requiring efforts to identify of homeless veterans, as well as regular reports on those efforts.**

Peacetime Veterans

The committee heard from several peacetime veterans who asked that the State benefits now provided to wartime veterans be extended to any honorably discharged veteran. The peacetime veterans noted that even though they served their military time in years that are not recognized by the Federal government as periods of conflict, many of them participated in military conflicts and actions that put their physical well being in jeopardy. Conversely, some wartime veterans did not participate in military actions during their periods of service. A number of veterans, both peacetime and war-time, told the committee that veterans benefits should be extended to any person who raised his or her right hand and pledged to defend the United States and who, as a result, could be required to place themselves in harm's way.

Finding: In general, the committee is sympathetic to the requests by peacetime veterans to extend to them many of the state benefits reserved for wartime veterans. The committee notes that a number of the recommendations made earlier in this report reflect its efforts to extend some of these benefits to peacetime veterans (e.g., the veterans property tax exemption, the purchasing of military service time toward state retirement). However, the committee could not identify a cost-effective or affordable method to extend all state veterans' benefits to the nearly 150,000 veterans who are Maine residents.

Other State Veterans' Issues

The committee considered a number of other proposals to change veterans' benefits, but did not include these as part of their findings or recommendations. Among these were:

- Exempting from state income tax the military retirement income of veterans
- Exempting all veterans from paying a fee to obtain a hunting or a fishing license
- Supporting two carryover bills, one of which would provide complimentary hunting and fishing licenses to persons on active military duty (LD 1830) and one of which would expand hunting options for disabled veterans (LD 1390). (Some committee members, however, expressed individual support for these bills.)

Federal Veterans' Issues

A number of Federal veterans' benefits issues, which the committee did not make findings or recommendations on, were raised at the various public hearings. Most of those issues concerned medical or health matters, some of which were related to services at the Togus Veterans' Medical Center. Among the latter were:

- Concerns about the use by Federal officials of income eligibility guidelines ("means testing") to obtain prescriptions and other services
- Awareness of Togus staff about eligibility issues
- Awareness among veterans of benefits available to them at Togus
- The location of Togus with respect to where the majority of Maine veterans live
- The provision of honor guards for military burial services for veterans (*See Appendix O for new Federal Code governing honor guard availability.*)

Several veterans also complained that they were not receiving the benefits that they were promised when they joined the Armed Forces. Again, among these benefits was low-cost health care coverage. A number of career military retirees said that they had opted for private sector health insurance for health care because the cost to participate in the private sector program was significantly less than what they would have to pay for coverage under TRICARE, the U.S. Department of Defense contractor providing health care to military retirees at Martin's Point.

REFERENCES:

“A Compilation of Maine Veterans Laws 1998, Revised July 1, 1998,” Department of Defense, Veterans and Emergency Management, December 1998.

Adams, Maj. Gen. Earl. Letter to the Veterans’ Benefits Study Committee, Re: Information on Graveside Policy at Maine Veterans Memorial Cemetery, November 1, 1999.

_____. Letter to Representative John L. Tuttle Jr., November 8, 1999.

“Cost of Registration Plate Benefits for Veterans,” Bureau of Motor Vehicles, November 1, 1999.

Darsey, E. B. Letter to Veterans’ Benefit Study Committee, November 16, 1999.

“Federal Benefits for Veterans and Dependents, 1999 Edition,” U.S. Department of Veterans Affairs, Washington, D.C.

“Geographic Distribution of VA Expenditures for Fiscal year 1998, Summary of Expenditures by State, U.S. Department of Veterans Affairs website (www.va.gov/sumedpr/fy98/stotls98.html).

“Property Tax Bulletin No. 7, Tax Exemption for Veterans,” Maine Revenue Services, September 18, 1999.

“Report of the Maine Working Group on Aging Veterans,” Maine Working Group on Aging Veterans, May 30, 1998.

“Report to the Nation (excerpt),” National Coalition for Homeless Veterans, May 1994.

“Soares, Frank. “Presentation: Overview, Bureau of Maine Veterans Services,” September 20, 1999.

_____, Memo to the Veterans’ Benefit Study Committee, Re: Requested Budget Information, October 19, 1999.

_____, Memo to the Veterans’ Benefit Study Committee, Re: Recommendations to Correct Veteran Related Issues,” November 1, 1999.

“Summary of Veteran Registration Plates,” Bureau of Motor Vehicles, November 1, 1999.

“Veterans Registration Information,” Bureau of Motor Vehicles, November 1, 1999.

APPENDIX A

RESOLVES 1999, chapter 78



APPROVED

JUN 17 '99

BY GOVERNOR

CHAPTER

78

RESOLVES

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-NINE

—
H.P. 76 - L.D. 89

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

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

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;

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

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 peace-time veterans; and

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

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 Legislature by December 15, 1999. If the committee requires a limited extension of time to conclude its study and make its report, it may apply to the Legislative Council, which may grant the extension; and be it further

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

1999-00

LEGISLATURE

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

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

Provides funds for the per diem and expenses of legislative members and the expenses of other eligible members of the Committee to Study Standardized Periods of Military Service and Other matters Related to the Award of State of Maine Veterans' Benefits, to hold 3 public hearings and to print the required report.

LEGISLATURE TOTAL

\$12,590

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

APPENDIX B

Committee membership

**COMMITTEE TO STUDY STANDARDIZED PERIODS OF MILITARY SERVICE AND
OTHER MATTERS RELATED TO THE AWARD OF STATE OF MAINE VETERANS'
BENEFITS**

**Chapter 78, Resolves of 1999
Emergency**

Membership 1999

Appointments by the President

Senator Richard Carey
PO Box 474
Belgrade, Maine 04917
Tel: 495-3333

Representing Joint Standing Committee on Legal and
Veterans Affairs

Senator Norman K. Ferguson, Jr.
56 Howard Pond Road
Box 36
Hanover, Maine 04237
Tel: 364-7641

Representing Joint Standing Committee on Legal and
Veterans Affairs

Senator Beverly Daggett, **Chair**
16 Pine Street
Augusta, Maine 04330
Tel: 622-9053

Representing Joint Standing Committee on Taxation

Senator Lloyd P. LaFountain III
PO Box 583
Biddeford, Maine 04005
Tel: 283-8529

Representing Joint Standing Committee on Labor

Senator Vinton Cassidy
RR 1, Box 75
Calais, Maine 04619
Tel: 454-2178

Representing Joint Standing Committee on Transportation

Senator Betty Lou Mitchell
PO Box 6
Etna, Maine 04434
Tel: 269-2071

Representing Joint Standing Committee on Health and
Human Services

Appointments by the Speaker

Representative John L. Tuttle, Jr., **Chair**
54 Cottage Street
Sanford, Maine 04073
Tel: 324-5964

Representing Joint Standing Committee on Legal and
Veterans Affairs

Representative Edward R. Dugay
P O Box 254
Cherryfield, Maine 04622
Tel: 546-9752

Representing Joint Standing Committee on Health and
Human Services

Representative Pamela Henderson-Hatch
PO Box 345
Skowhegan, Maine 04976
Tel: 474-3435

Representing Joint Standing Committee on Labor

Representative Russell P. Treadwell
Damascus Road
RR2, Box 1570
Carmel, Maine 04419
Tel: 848-5123

Representing Joint Standing Committee on Labor

Representative Rosita Gagne
70 North Hill Road
Buckfield, Maine 04220
Tel: 336-2836

Representing Joint Standing Committee on Legal and
Veterans Affairs

Representative Janice E. Labrecque
13 Hurricane Street
Gorham, Maine 04038
Tel: 892-9532

Representing Joint Standing Committee on Legal and
Veterans Affairs

Representative John T. Buck
67 Hillside Street
Yarmouth, Maine 04096
Tel: 846-9366

Representing Joint Standing Committee on Taxation

Staff: Chris Spruce, Office of Policy and Legal Analysis
287-1670

APPENDIX C

Crosswalk of State veterans' laws

Crosswalk of Maine Veterans Laws
Working Draft for Veterans' Benefits Study Committee

Title	Ch/Section	Subject	Admin. Responsibility
1 MRSA	c. 23, §131	Former POW Recognition Day	Governor
1 MRSA	c. 9, §252-A	Display of U.S. Flag	Various
1 MRSA	c. 5, §136	Display of POW-MIA Flag	Various
4 MRSA	c. 23, §1051	Legal Holidays (including veteran-related)	Various
5 MRSA	c. 372, §7051	Public employees in military service	Various
5 MRSA	c. 372, §7054	Veteran's Preference for state employment	Various
5 MRSA	c. 372, §7055	Reopening examinations	Various
5 MRSA	c. 423, §§17655, 17713, 17760; also, c. 425, §18311, 18360	Retirement benefits: State employees and teachers (c. 423); Participating Local Districts (c. 425) -- Service in the Armed Forces	MSRS
5 MRSA	c. 372, §7054	Civil Service System, Veteran's preference: Changes state definitions of periods of military service for Vietnam Era and Gulf War veterans	Various
10 MRSA	c. 110; §§ 962-963, 1026-C	Finance Authority of Maine, Assistance to veteran-owned small business	FAME
12 MRSA	c. 707, §7076	Fisheries & Wildlife, Licenses and Permits: Special Privileges	IFW
12 MRSA	c. 212, §931	Conservation, Free Access to Certain State Lands by Disabled Veterans: Access to State-owned Parks, camping areas and beaches	DOC
13 MRSA	c. 83, §§1101-1102	Corporations, Cemetery Corporations: Maintenance and Repairs; Town (veterans' graves)	Various
14 MRSA	c. 507, §4422	Court Procedure--Civil, Attachments: Exempt Property (a veterans' benefit)	Various
20-A MRSA	c. 213, §5201	Education, Student eligibility: age	DOE; school districts
29-A MRSA	c. 5, §523-524	Motor Vehicles, Vehicle Registration: Certain Veterans (vehicle registration; special plates)	State Dept, DMV
29-A MRSA	c. 11, §1409	Motor Vehicle, Driver's License: Amputee and Disabled Veteran (exempt from license fee)	State Dept, DMV

Crosswalk of Maine Veterans Laws
Working Draft for Veterans' Benefits Study Committee

Title	Ch/Section	Subject	Admin. Responsibility
30-A MRSA	c. 223, §5723	Municipal Finances, Public Works: Care of veterans graves	Municipalities
30-A MRSA	c. 131, §2901	History & Observances, Decoration of Veterans' graves on Memorial Day; Erection of Flagpoles	Municipalities
30-A MRSA	c. 123, §2652	Municipalities, Fee Schedule (for attested copy of discharge or release papers from Armed Forces)	Municipalities
30-A MRSA	c. 201, §4703, 4743	Housing Authority: Housing Rentals and Tenant Admissions; Veteran Preference	Municipalities
30-A MRSA	c. 223, §5725	Health and Welfare: veteran rehabilitation	Municipalities
36 MRSA	c. 105, §653	Taxation, Cities and Towns: Tax exemption for veterans' estates	Municipalities
36 MRSA	c. 105, §841	Taxation: Abatement Procedures for veteran's widow or minor child	Municipalities
36 MRSA	c. 111, §1483	Taxation, Aircraft, House Trailers and Motor Vehicles: Exemptions from excise tax.	Various
36 MRSA	c. 211, §1760	Taxation, General Provisions: Exemptions on sales, storage or use taxes on certain items owned by qualified veterans	Various
37 MRSA	c. 7, §216	Veteran Services, Uniform Veterans' Guardianship Act: Copies of Public Records Furnished	Various
37-B MRSA	c. 7, §§501-503, 507	Dept. of Defense, Veterans & Emergency Management, Maine Bureau of Veterans' Services: Established, Director's powers and duties, authority to receive federal funds	MBVS
37-B MRSA	c. 7, §504	Maine Bureau of Veterans' Services: Veterans' Memorial Cemetery authorized, superintendent authorized, burial rules and eligibility	MBVS/MVMC
37-B MRSA	c. 7, §506; 507-A	Maine Bureau of Veterans' Services, Certain Documents Confidential; Custodian to Provide Copies	MBVS
37-B MRSA	c. 11, §§601-611	Maine Veterans' Home: Home established, powers and authority, board of trustees, admission, reports, etc.	BOT-MVH
37-B MRSA	c. 3, §147	Military Bureau, Retired Officers and Retired List: discharge, rights, active state service	Governor; Adjutant General
37-B MRSA	c. 7, §505	Aid to Veterans and Their Dependents	MBVS

Crosswalk of Maine Veterans Laws
Working Draft for Veterans' Benefits Study Committee

Title	Ch/Section	Subject	Admin. Responsibility
37-B MRSA	c. 7, §504	Eliminates requirement that a veteran eligible for burial at MVMC have served during a recognized period of conflict	MBVS/MVMC

*Sources: "A Compilation of Maine Veterans Laws 1998, Revised July 1, 1998," Department of Defense, Veterans and Emergency Management; "A Summary of Legislation for the Joint Standing Committee on Legal and Veterans' Affairs, 119th Maine Legislature, First Regular Session, July 1999," Office of Policy and Legal Analysis.

APPENDIX D

Property Tax Exemption bulletin



ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
MAINE REVENUE SERVICES
(FORMERLY BUREAU OF TAXATION)
P.O. BOX 9106
AUGUSTA, MAINE
04332-9106

JANET E. WALDRON
COMMISSIONER
ADMINISTRATIVE & FINANCIAL SERVICES
ANTHONY J. NEVES
EXECUTIVE DIRECTOR

PROPERTY TAX BULLETIN NO. 7

(Published under Appropriation No. 1037.1)

Effective September 18, 1999; Replaces November 30, 1995 Revision.

SUBJECT: TAX EXEMPTIONS FOR VETERANS

REFERENCES: Title 36, MRSA §653, and c.462, PL 1999.

The Maine Supreme Judicial Court's decision in the case of Lambert v. Wentworth, et al, would have resulted in the disqualification for 1981 and thereafter, of those veterans or individuals claiming on the records of deceased veterans if the veteran did not enter the service while a resident of Maine. However, the Maine Legislature provided for 1981 that the following classes of individuals may qualify even though the veteran did not enter the service from Maine.

- A. Veterans of war periods prior to World War II and those claiming on their records.
- B. Disabled or paraplegic veterans and those claiming on their records.
- C. Individuals receiving a pension or compensation from the Federal Government as a veteran's survivor.

For 1982 and thereafter all veterans and individuals claiming on the veterans' records may qualify irrespective of the residency of the veteran at the time of entering the service.

1. Veterans - Definition.

- a. "Veteran" as used in this bulletin means any person who was in active service in the armed forces of the United States; and who, if discharged, retired or separated from the armed forces, was discharged, retired or separated under other than dishonorable conditions. A veteran of the Vietnam War must have served on active duty for a period of more than 180 days, any part of which occurred after February 27, 1961 and before May 8, 1975 in the case of a veteran who served in the Republic of Vietnam and after August 4, 1964 and before May 7, 1975 in all other cases, unless the veteran died in service or was discharged for service-connected disability after that date.



PRINTED ON RECYCLED PAPER

Members of the American Merchant Marine in Oceangoing Service who served between December 7, 1941 and August 15, 1945 are eligible for a veteran's exemption provided they:

- (1) were employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the U.S. Coast Guard or Department of Commerce, or as a civil servant employed by the U.S. Army Transport Service or the Naval Transportation Service; and
- (2) served satisfactorily as a crew member during the period of armed conflict, December 7, 1941, to August 15, 1945, aboard
 - (a) merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or
 - (b) public vessels in oceangoing service or foreign waters.

b. Federally Recognized War Periods.

World War I - April 6, 1917 to November 11, 1918, inclusive.

World War I - (service in Russia) - April 6, 1917 to March 31, 1920, inclusive.

World War II - December 7, 1941 to December 31, 1946, inclusive.

Korean Conflict - June 27, 1950 to January 31, 1955, inclusive.

Vietnam War - February 28, 1961 to May 7, 1975 in the case of a veteran who served in the Republic of Vietnam during that period or August 5, 1964 to May 7, 1975 in all other cases; and

Persian Gulf War - August 7, 1990 to the date that the United States Government recognizes as the end of the Persian Gulf War.

2. Veterans Exemption - Veterans.

a. In General:

Estates of veterans, real and personal, including property held in joint tenancy with the veteran's spouse or held in a revocable living trust for the benefit of that veteran, are exempt up to \$5,000 (\$7,000 for veterans who served during any federally recognized war period prior to World War II) of just valuation and only in the place where the veteran is a legal resident, provided the veteran:

- (1) is a legal resident of the State of Maine; and

BULLETIN NO. 7

- (2) served during a federally recognized war period
- (3) has notified in writing the assessors of the municipality in which he resides of his claim for exemption and furnished proof of his entitlement on or before April 1; and
- (4) has reached the age of 62 years; or
- (5) is receiving a pension or compensation from the United States Government for total disability, either service or nonservice connected, as a veteran. (VA Tax Code status should be reviewed annually.)

b. Veterans Disabled in the Line of Duty;

Estates of veterans, real and personal, including property held in joint tenancy with the veteran's spouse or held in a revocable living trust for the benefit of that veteran, are exempt up to \$5,000 (\$7,000 for veterans who served during any federally recognized war period prior to World War II) of just valuation and only in the place where the veteran is a legal resident, provided the veteran:

- (1) is a legal resident of the State of Maine; and
- (2) has notified in writing the assessors of the municipality in which he resides of his claim for exemption and furnished proof of his entitlement on or before April 1; and
- (3) is disabled by injury or disease incurred or aggravated during active military service in the line of duty and are receiving any form of pension or compensation from the United States Government for total, service-connected disability. (VA Tax Code status should be reviewed annually.)

c. Paraplegic Veterans:

Estates of paraplegic veterans, including property held in joint tenancy with the veteran's spouse or held in a revocable living trust for the benefit of that veteran, are exempt up to \$47,500 of just valuation, for a specially adapted housing unit, and only in the place where the veteran is a legal resident, provided the veteran:

- (1) is a legal resident of the State of Maine; and
- (2) served during a federally recognized war period
- (3) has notified in writing the assessors of the municipality in which he resides of his claim for exemption and furnished proof of his entitlement on or before April 1 (such notification once made need not be repeated in subsequent years); and

- (4) is a paraplegic veteran, so-called, within the meaning of the U.S. Code, Title 38, Chapter 21, Section 801; and
- (5) has received a grant from the United States Government for such specially adapted housing.

3. Veterans Exemption - Widows.

a. In General:

Estates of a widow of a veteran, real and personal, including property held in a revocable living trust for the benefit of that widow, are exempt up to \$5,000 (\$7,000 for the widow of a deceased veteran who served during a war period prior to World War II) of just valuation in the place of legal residence, she must:

- (1) be a legal resident of the State of Maine; and
- *(2) have notified in writing the assessors of the municipality in which she resides of the claim for exemption and furnished proof of entitlement on or before April 1 (such notification once made need not be repeated in subsequent years); and
- (3) be unmarried (the divorced wife of a qualified veteran or the remarried widow of a qualified veteran is not eligible for exemption); and
- (4) be herself receiving, regardless of her age, a pension or compensation as a widow of a veteran from the United States Government; or
- (5) be a widow of a veteran who could be entitled to such exemption if living.

NOTE: When a qualified veteran dies intestate (without a will) leaving property and is survived by a widow and a minor child or children, they are jointly entitled only to a single exemption of up to the limit of just valuation that applies to the service and period of the claim.

b. Widows of Paraplegic Veterans:

In order for a widow of a paraplegic veteran to be exempt from taxation up to \$47,500 of just valuation in the place of legal residence, she must:

- (1) be a legal resident of the State of Maine; and
- (2) have notified in writing the assessors of the municipality in which she resides of the claim for exemption and furnished proof of entitlement on or before April 1 (such notification once made need not be repeated in subsequent years); and

- (3) be unremarried (the divorced wife of a qualified veteran or the remarried widow of a qualified veteran is not eligible for exemption); and
- (4) be the widow of a paraplegic veteran, so-called, within the meaning of the U.S. Code, Title 38, Chapter 21, Section 801, who served during a federally recognized war period and received a grant from the United States Government for such specially adapted housing.

4. Veterans Exemption - Minor.

Estates of a minor child of a deceased veteran, real and personal, including property held in a revocable living trust for the benefit of that minor child, are exempt up to \$5,000 (\$7,000 for the minor child of a deceased veteran who served during a war period prior to World War II) of just valuation in the place of legal residence, he or she must:

- (1) be a legal resident of the State of Maine; and
- *(2) have notified in writing the assessors of the municipality in which he or she resides of the claim for exemption and furnished proof of entitlement on or before April 1. Such notification may be made by another in the minor's behalf, such as parent or guardian (such notification once made need not be repeated in subsequent years); and
- (3) be under the age of 18.

* Even though a widow or minor child has not made this claim and furnished proof of entitlement, the assessors may make abatement on written application within one year of commitment, provided the veteran died during the 12-month period preceding the April 1st for which the tax was committed. 36 M.R.S.A., section 841, 4.

NOTE: When a qualified veteran dies intestate leaving property and is survived by a widow and a minor child or children, they are jointly entitled only to a single exemption of up to the limit of just valuation that applies to the period of service of the veteran.

5. Veterans Exemption - Mothers.

The estates of a mother of a deceased veteran, real and personal, including property held in a revocable living trust for the benefit of that mother are exempt from taxation up to \$5,000 (\$7,000 for a mother of a deceased veteran who served during a war period prior to World War II) of just valuation in the place of legal residence, she must:

- (1) be a legal resident of the State of Maine; and
- (2) have notified in writing the assessors of the municipality in which she resides of the claim for exemption and furnished proof of entitlement on or before April 1 (such notification once made need not be repeated in subsequent years); and

- (3) be unremarried (the divorced mother of a veteran or the remarried widow mother of a veteran is not eligible for exemption; and
- (4) have reached the age of 62; and
- (5) be in receipt of pension or compensation based upon the service connected death of her son.

6. Amount of Exempt Valuation.

In determining the local assessed value of the exemption, the assessor shall multiply the amount of the exemption by the ratio of current just value upon which the assessment is based as furnished in the assessor's annual return to the State Tax Assessor.

7. Exemption Limitation.

No person shall be entitled to property tax exemption under more than one of the foregoing exemptions.

Exemptions apply only to property, or the interest in property, taxable in the place of the applicant's legal residence. Such property must be actually owned by the person eligible for exemption, by the veteran and the veteran's spouse in joint tenancy, or held in a revocable living trust for the benefit of the person eligible for exemption.

No property conveyed to any person for the purpose of obtaining exemption from taxation under the provisions of this law shall be so exempt, excepting property conveyed between husband and wife, and the obtaining of such exemptions by means of fraudulent conveyance shall be punished by a fine of not less than \$100 and not more than two times the amount of taxes evaded by such fraudulent conveyance whichever amount is greater.

8. Proof of Entitlement.

The statute does not spell out what constitutes proof. Evidence of entitlement should be sufficient to satisfy the assessors that the person is eligible. The following is illustrative of satisfactory evidence; but please bear in mind that reasonable proof satisfactory to the assessors is sufficient.

- (1) Copy of birth certificate together with presentation of honorable discharge papers, if the claim is based on age 62.
- (2) Certificate or letter from the Veterans Administration or other federal agency that the applicant is receiving compensation or pension from the United States Government as a veteran or widow of a veteran. (For explanation of the certificate (formerly VA Form 20-5455 or 20-5455a) furnished by the Veterans Administration see Section 9 of this bulletin). Unless this certificate or letter is

furnished, the evidence relied on should indicate whether the compensation or pension is for total disability; and if not, whether it is service connected disability.

- (3) Widows, minor children, or widowed mothers of veterans should present a letter from the appropriate federal agency stating that they are in receipt of a pension from the United States Government because of being such a person.
- (4) Letter from Veterans Administration or other federal agency verifying grant from the United States Government to the paraplegic veteran for specially adapted housing.

9. Veterans Administration Statement from Benefit Payment Records.

(Formerly VA Form 20-5455 or 20-5455a was issued; more recently a certificate or letter will be issued).

Explanation of Codes

- (1) Statements for World War I veterans or their widows are unnecessary since all have reached age 62 or would be 62 or more if living. (See Section 8 (1) of this bulletin).
- (2) Assessors are concerned only with Code number used by the VA. The Code will be either "1", "2", or "3".

Code 1 indicates that the veteran is receiving compensation for a 10% to 90% service connected disability. Therefore the veteran is **not** entitled to tax exemption because of disability.

Code 2 indicates that the veteran is entitled to property tax exemption as receiving compensation for total service connected disability.

Code 3 indicates that the veteran is entitled to property tax exemption as receiving a nonservice connected pension due to total disability.

Code 2 and 3 also apply to widows of veterans and indicate that they are entitled to property tax exemption as they are receiving compensation (Code 2) or a pension (Code 3) from the United States Government.

If individual questions arise concerning the Coding found on this form, contact:

Veterans Services Division
Veterans Administration Center
Togus, Maine 1-800-827-1000

BULLETIN NO. 7

NOTE: This bulletin is intended solely as advice to assist persons in determining, exercising or complying with their legal rights, duties or privileges. If further information is needed contact the Property Tax Division of Maine Revenue Services.

The Department of Administrative and Financial Services does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services or activities. This material can be made available in alternate formats by contacting the Department's ADA Coordinator at (207)287-4350(voice) or (207)287-4537(TTY).

APPENDIX E

Veterans' special plates summary

Veteran Registration Plates

1. MEDAL OF HONOR PLATE: Began Issuing 9/18/81

A Veteran who is in receipt of the Medal of Honor by the United States Congress will be issued a Medal of Honor registration plate. The military orders awarding the Medal of Honor must be presented at time of original registration. A Veteran displaying this plate is exempt from registration and title fees.

2. PEARL HARBOR SURVIVOR PLATE: Began Issuing 8/4/88

This plate is issued to any Veteran who served in the United States Armed Forces and who was stationed at Pearl Harbor during the attack by Japanese forces on December 7, 1941. Veterans must provide military certification verifying the applicant's service at Pearl Harbor during the attack. Registration fees are charged.

3. FORMER PRISONER OF WAR: Began Issuing: 9/19/85

A Veteran who served in the United States Armed Forces and who was a prisoner of war at any time during tenure of service can receive one set of Former Prisoner of War plates when showing proof from the Veterans Administration certifying that the person is a former prisoner of war. These Veterans receive a registration fee exemption.

Additionally, any civilian citizen of the United States who was interned as a prisoner of war is authorized to obtain Prison of War registration plates and receive the registration fee exemption.

A surviving spouse of the holder of these plates can display the plates until remarriage, at which time they may keep the plate as a souvenir.

4. PURPLE HEART RECIPIENT PLATE: Began Issuing 9/95

A Veteran who is a recipient of the Purple Heart medal and upon proof of receipt of the Award, can obtain up to two sets of the special designating registration plates for a one time fee of \$10.00 per registration. Vanity plates are available for an additional annual fee of \$15; five maximum characters.

A Purple Heart recipient who does not wish to display the plates on a vehicle can obtain a souvenir type Purple Heart plate, bearing the word AWARD, for a one time \$5.00 fee.

A surviving spouse of the holder of these plates can display the plates until remarriage, at which time they can keep the plate as a souvenir.

5. AMPUTEE, LOSS OF USE OF LIMB(S), OR BLIND VETERANS:

Veterans who are blind, or have the loss of or loss of use of limbs are exempt from payment of excise tax, sales tax, title and registration fees on one vehicle. A standard registration plate is issued.

6. DISABLED VETERAN PLATE: Began Issuing: 9/14/79

A. Must be 100% service connected disabled receiving 100% benefits to qualify. The Veteran produces a letter from Veterans Administration or Armed Forces indicating the 100% disability. The disability must be a **permanent** disability.

When displaying the Disabled Veteran plate the Veteran receives a registration fee exemption (1 vehicle only) and are exempt from title fees. Disabled Veteran motorcycle plates can be issued; however, the Veteran cannot use another DV plate on a passenger vehicle. Vanity plates are available, for the required \$15.00 fee.

A disabled parking placard is issued with the plates to enable the Veteran to park in disabled parking spaces.

B. Any Veteran who has the loss of both lower extremities or has the loss of use of both lower extremities automatically qualifies for a Disabled Veteran plate. This Veteran will be exempt from excise tax, sales tax, registration and title fees and will also be issued a disability parking placard for use with the plates.

7. SPECIAL VETERAN PLATE: Began Issuing: 09/01/92

Any Veteran who has been honorably discharged from the United States Armed Forces qualifies for these plates. The Veteran must show proof of an honorable discharge by producing a DD-214 or a letter from the Veterans Administration or appropriate branch of the Armed Forces. Each Veteran may be issued two (2) plates. There is a one time \$5.00 fee for each registration issued. Effective September 19, 1997, vanity plates may be obtained.

APPENDIX F

Veterans' plates registration table



**Bureau of Motor Vehicles
Veteran Registration Information**

Veteran Category	Number of plates issued	Fees				Statutory Authority For Plates 29A MRSA	Plate Type
		Registration Fee \$25.00	Title fee \$15.00	Excise Tax	Sales Tax 5.5% of price		
1. Medal of Honor Recipient	2	exempt	exempt	not exempt	not exempt	section 524 (1)	Medal of Honor
2. Pearl Harbor Survivor	60	not exempt	not exempt	not exempt	not exempt	section 524 (3)	Pearl Harbor Survivor
3. Former Prisoner of War	24	exempt	not exempt	not exempt	not exempt	section 524 (2)	Prisoner of War
4. Purple Heart Recipient	1,680	not exempt	not exempt	not exempt	not exempt	section 524 (4)	Purple Heart
5. Amputee or Blind Veteran	503	exempt	exempt	exempt	exempt	section 523 (1)	Passenger Plates
6. Disable Veteran *							
a. 100% Service Connected	1,785	exempt	exempt	not exempt	not exempt	section 523 (2)	Disabled Veteran
b. loss or loss of use of lower extremities	93	exempt	exempt	exempt	exempt	section 523 (1)	Disabled Veteran
7. Special Veteran	10,510	not exempt	not exempt	not exempt	not exempt	section 523 (3)	Veteran (with red V)
Total Veteran Registrations	14,657						

* A disability parking placard is issued
— exempt from \$1.00 fee

11/01/99
C.Curtis

APPENDIX G

Letter to committee from E. Adams, Nov. 1, 1999

Angus S. King, Jr.
Governor
State of Maine
(207) 287-3531

Earl L. Adams
Major General
Commissioner
(207) 626-4205



CAMP KEYES, AUGUSTA, MAINE 04333-0033

November 1, 1999

Office of the Commissioner

The Honorable Beverly C. Daggett
Senate Chair, Veterans' Benefits
Study Committee
3 State House Station
Augusta, ME 04333-0003

The Honorable John L. Tuttle, Jr.
House Chair, Veterans' Benefits
Study Committee
2 State House Station
Augusta, ME 04333-0002

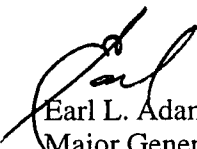
Dear Senator Daggett, Representative Tuttle and Members of the Veterans' Benefits
Study Committee:

The issue of graveside committal service at the Maine Veterans' Memorial Cemetery is one that your committee is considering as part of your review of veterans benefits. I am providing the enclosed information which explains the rationale for our current policy.

This policy has been successful, effective, and safe. I request that you look carefully at this situation and not be overly influenced by a very small minority who disagree with the policy. Our cemetery is somewhat unique in Maine and our differences from other cemeteries are necessary for the reasons outlined in the attachments. However, some of the larger civilian cemeteries in Maine are adopting the "No graveside service" policy.

Our primary concern must always be with our veterans and their families. I look forward to the opportunity to discuss this important issue with your committee.

Sincerely,



Earl L. Adams
Major General
Commissioner

Enclosure

MAINE EMERGENCY MANAGEMENT
72 State House Station
Augusta, Maine 04333-0072
(207) 287-4080
Fax: 287-4079

MAINE VETERANS' SERVICES
117 State House Station
Augusta, Maine 04333-0117
(207) 626-4464
Fax: 626-4471

MILITARY BUREAU
33 State House Station
Augusta, Maine 04333-0033
(207) 626-4271
Fax: 626-4509

ADMIN SERVICES DIVISION
104 State House Station
Augusta, Maine 04333-0104
(207) 624-7047
Fax: 624-7137

Information on Graveside Policy
November 1, 1999

- The current graveside policy has been in effect for approximately three years.
- Complaints about this policy have been minimal.
- When complaints occur, they generally come from residents of the Augusta area and, specifically, usually from the customers of one funeral home!
- The staff of the Bureau talks to the family members that have forced exceptions to policy and obtained a graveside burial. In every case except one, the families stated they would not have asked for graveside if they had known the inherent problems involved. In all of these cases, the families used the same funeral home referred to in the above statement.
- The graveside policy was implemented because of the following reasons:
 - since the cemetery is out of burial space, and it is constantly building new areas to bury in, the new sites are all in new ground and basically construction sites;
 - there are many inherent safety concerns of having the public in an unimproved construction site and they must use special safety equipment and procedures as defined by OSHA/MDOL to enter the area;
 - since the ground may be covered with snow or soft from rain, family members may be unable to traverse the rough ground in the winter or during inclement weather;
 - since we bury all new family members in one new area, it is impossible to force grieving family members to leave the burial site in a timely manner while other families are waiting to come in for their burial.
- A review of the Satisfaction Surveys for the last eighteen months (87) indicated that only a fraction of one per cent had a problem with the graveside policy.
- Although alternates could be developed to correct the above problems, to do so would appear to be unwarranted considering the costs, new personnel involved, and the general public satisfaction with the overall policy.

APPENDIX H

Letter to Chair Tuttle from E. Adams, Nov. 8, 1999

Angus S. King, Jr.
Governor
State of Maine
(207) 287-3531

Earl L. Adams
Major General
Commissioner
(207) 626-4205



CAMP KEYES, AUGUSTA, MAINE 04333-0033

November 8, 1999

Office of the Commissioner

RECEIVED

NOV 09 1999

Representative John L. Tuttle, Jr.
54 Cottage Street
Sanford, Maine 04073

GPLA


Dear Representative Tuttle:

After the last meeting of the Veterans' Benefits Committee you requested that I provide you with cost figures to add a burial crew at the Veterans Cemetery in order to provide some graveside services. The enclosed information addresses your request.

Additional personnel and money will only address part of the issues surrounding graveside services. Your committee, Frank Soares, and I need to have a frank, informative, professional discussion of this entire situation. It is a multi-faceted issue with no easy solution.

I look forward to working with you to find the right answer.

Sincerely,



Earl L. Adams
Major General
Commissioner

Enclosure

Copies Furnished:

Senator Beverly C. Daggett
Chris Spruce, Office of Policy and Legal Analysis

MAINE EMERGENCY MANAGEMENT
72 State House Station
Augusta, Maine 04333-0072
(207) 287-4080
Fax: 287-4079

MAINE VETERANS' SERVICES
117 State House Station
Augusta, Maine 04333-0117
(207) 626-4464
Fax: 626-4471

MILITARY BUREAU
33 State House Station
Augusta, Maine 04333-0033
(207) 626-4271
Fax: 626-4509

ADMIN SERVICES DIVISION
104 State House Station
Augusta, Maine 04333-0104
(207) 624-7047
Fax: 624-7137

**Requirements for Possible Future
Graveside Support
November 5, 1999**

- **Personnel**

Heavy Equipment Operator II
Heavy Equipment Operator I
Laborer II

Total – three new personnel

- **Equipment**

1 – 4WD backhoe
Increased uniforms for new personnel

- **Funds**

Personnel Allocation

Heavy Eq Opr II -	\$18,553.60
Heavy Eq Opr I -	17,222.40
Laborer II -	<u>16,099.20</u>
Subtotal	51,875.20
Benefits	<u>35,768.93</u>
Total for Personnel	\$87,768.93

All Other Allocation

Uniforms	\$ 2,400.00
Backhoe	60,000.00
Fuel, parts, etc.	<u>1,000.00</u>
Total	\$63,400.00

Total Costs - **\$151,168.93**

NOTE: Uniforms, fuel and personnel costs are all recurring.

APPENDIX I

Summaries of committee meetings and public hearings

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

Summary of 9/20/99 Meeting

Members attending: Chairs Daggett and Tuttle; Sens. Carey, Mitchell, LaFountain, Ferguson; Reps. LaBrecque, Treadwell, Buck, Hatch and Dugay.

1. The first meeting of the Study Committee was convened at the Maine Veterans' Home, Augusta. Maine Veterans' Home Director Joseph Tinkham and the Augusta home director, Rosanne Tousignant welcomed the committee and guests to the home.
2. Staff reviewed the committee's charge from Resolves 1999, Chapter 78. Staff noted that the committee's charge was broad and covered a number of areas concerning veterans' benefits.
3. Frank Soares, Director of the Maine Bureau of Veterans' Services, provided the committee with an overview of veterans' services provided by his bureau, as well as an outline of current veterans' issues. (Included in the materials enclosed from the MVBS is an updated copy of the overheads Director Soares' used in his presentation, as well as additional information requested by the committee.) Among important information imparted by Director Soares (in no particular order) was the following:
 - The bureau has 7 field offices and a claims office at Togus
 - The state claims effort is necessary because the federal system has no system to reach out and get veterans to apply for benefits
 - The MVBS's job is to help the veteran negotiate their benefits claim (37-B MRSA §503, sub-§3 reads: "**Agent.** The director shall act, upon request, as the agent of any Maine resident who has a claim against the United States for any compensation, pension, insurance, loan or other benefit accruing as a result of any federal military service and, in cooperation with all public and private agencies, shall prosecute the claim without charge.")

- Several veterans' service organizations also do claims intake
- Field offices need additional staff (another 1/2 time position each) and an upgrade in technology (Estimated \$30,000 to purchase hardware/standard software packages)
- Funds for additional training for service officers needs to be budgeted
- 37-B MRSA §505. Aid to Veterans and Their Families not funded by State since early '90s; need a minimum of \$200K to restart
- Northern Maine Veterans' Cemetery has planning funds (\$15K), but needs operating funds
- The Commission on Women Veterans has identified women veterans' needs with initial \$15K budget, but now needs additional funding to underwrite services
- If the State shifts to one set of qualifying criteria rather than the current system of varying sets of criteria for assorted State veterans' benefits, the resulting costs could be "extreme"
- Maine Veterans Memorial Cemetery has the lowest cost per burial (\$399) among New England states
- A rapid rise in veterans' death is expected as the WWII cohort continues to age. That upward trend will peak in the years 2008 to 2012 and then fall; annual burials at VMC are expected to reach 700 in the year 2001
- Maine Veterans' Cemetery needs 97,000 burial plots to handle projected burials. The current cemetery in Augusta is almost at capacity at 16,000 plots; the new cemetery now being developed will have capacity for 35,000 plots and the new cemetery in Caribou will have room for 46,000 plots
- Graveside service ban resulted from safety concerns; often are multiple holes open and area is unstable; as many as six burials a day in succession; there is only one area to bury in at current cemetery
- Possible solutions to graveside service issue are to: build the new cemetery so that more than one burial can occur at a time; add a new burial crew (3 additional staff) so this change can be supported; limit graveside services to late summer and early fall when the soil is most stable; and establish system to minimize heavy equipment being driven over new ground

4. Larry Record, Director of the Property Tax Division at Maine Revenue Service reviewed Maine's current veterans' property tax exemption laws. He noted that an estimated \$260 million in the value of veterans' property has been exempted from the local property tax. Under an amendment to the State constitution, the State reimburses a municipality 50% of the property tax revenue loss suffered by that municipality in the preceding calendar year as the result of any property tax exemptions or credits enacted after April 1, 1978. (See attached §661.) Currently, the State is spending approximately \$900,000 to reimburse municipalities for §661 claims. Local taxpayers are absorbing close to \$3.5 million in tax revenue losses

incurred by their municipalities for the veterans' tax exemption. Much of that is the result of the tax revenue lost by the exempting the first \$4,000 of the valuation of a veteran's property. (The \$4,000 exemption existed before the effective date of the 1978 reimbursement requirement.)

The property tax division does some "outreach" to inform veterans and their families of the property tax exemption because some veterans are not aware of the program, according to Record. The property tax exemption for a qualified veteran or the veteran's surviving spouse is not retroactive and must be applied for before it is granted. The exemption can be used for a qualified veteran's personal property as well, he noted.

[For members unable to attend the 9/20 meeting, please find copies of the materials provided to the committee by Mr. Record: Property Tax Bulletin No. 7 and a table detailing veterans' property tax exemptions for 1998 by county.]

6. The committee discussed the proposed committee calendar. Some members requested that an effort be made to hold a meeting or public hearing in Washington County. Chair Daggett indicated that she would investigate that possibility. A request was made to have committee members visit the Maine Veterans' Cemetery in Augusta prior to the Augusta public hearing/meeting on November 1st.

7. Information needs. Committee members requested additional information from both Director Soares and committee staff. Director Soares was asked to provide the following:

- ◇ Statistics on cremation versus full burials at MVC
- ◇ Statistics on other states' veterans' benefits
- ◇ Budgets for 7 field offices
- ◇ Detail on the cost of technology upgrade for field offices
- ◇ Detail on services available in Washington County
- ◇ Breakdown of Department's budget
- ◇ Revised handout of presentation overheads

Staff was asked to provide the following:

- ◆ NCSL information re: veterans' benefits in other states
- ◆ Information from other states on how they approach veterans' issues
- ◆ Arrange input from other state agencies that deal with veterans' benefits (DHS, Labor, SOS, etc.)

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

Summary of 10/18/99 Public Hearing Maine Veterans' Home Scarborough

Members attending: Chairs Daggett and Tuttle; Sens. Mitchell, LaFountain, Ferguson; Reps. Gagne, LaBrecque, Treadwell and Hatch.

Maine Veterans' Coordinating Committee: Arnold Leavitt, Legislative Chair of the MVCC reiterated his organization's positions on the seven veterans' bills carried over to the Second Regular Session. Among these were bills that would expand hunting options for disabled veterans, provide complimentary hunting and fishing licenses to persons on active military duty, allow the surviving veteran spouse of a veteran to continue to receive the property tax exemption, and replenish the emergency assistance fund for veterans. Leavitt also urged the committee to be "as liberal as you can" in altering eligibility for state veterans' benefits. "Anyone who was honorably discharged is entitled to them," Leavitt posited.

Promised benefits: A number of the approximately 25 veterans' attending the meeting complained that the Federal Government had not kept its promise to them about benefits they would receive (e.g., commissary privileges, reduced drug prescription fees, low-cost health insurance coverage) following their years of service. "We were guaranteed a lot of benefits when I signed up that I'm not getting today," said one career Navy veteran from Westbrook. He told the committee that he was not participating in the health care program offered to retired military because it was less expensive for him to join a civilian health insurance program.

War-time Veterans' benefits: A 30-year veteran of the Navy from Lisbon Falls said he saw nothing new happening at the State level to assist war-time veterans. "Now non-war-time veterans can be buried in the veterans' cemetery," he noted.

“They’re also getting the property tax exemption (at age 62). A bill we had in to give the war-time veteran a \$7,500 property tax exemption got shot down.”

Veterans helping veterans: A number of veterans also informed the committee of their experiences in trying to get services from Togus and the Veterans Administration. One veteran from Portland claimed that contrary to VA guidelines (see attachment A) staff at Togus told him he could not be eligible for VA assistance in paying for prescriptions unless he gave up his primary care physician. “When you go to Togus, you feel like you’re a poor relative,” he remarked. However, another veteran who helps veterans get their deserved benefits argued that staffers at Togus “are doing the best they can with what they have.” If a veteran doesn’t understand his or her benefits or how Togus works, he said, the veteran gets lost. A veteran from Saco argued that the answer to many veterans’ benefits issues is “the veteran helping the veteran.” Several veterans’ organizations, such as the American Legion, publish veterans’ benefits booklets, said another veteran. He noted that an effort was underway to get establish a veterans’ nursing home in the Biddeford area.

Property tax exemption, license fees and other state benefits: One veteran from Old Orchard Beach complained that town officials there were not fully informed about license fee benefits for eligible veterans. “It would be nice,” he said, “if the towns had this information and it was made available to the veteran.” Another veteran from Westbrook said several states have better property tax exemptions for veterans than Maine and that as retired career military he should eligible for the property tax exemption upon retiring rather than waiting until age 62.

Augusta as wilderness: “Togus is up in the woods,” said a veteran from York. The VA or the State, he argued, should put some veterans’ medical facilities “down this way where so many veterans live.”

VA HEALTH CARE AND ENROLLMENT

Congress has required that after October 1, 1998, most veterans must be enrolled to receive VA health care services. Congress has also expanded the range of medical services that enrolled veterans may receive. Letters will be mailed to veterans from late June through September 1998 to inform them of their initial enrollment in the VA health care system. Veterans may continue to apply for enrollment any time, even after October 1, 1998. Here are some common questions about enrollment and benefits:

If I am enrolled with VA, what benefits will I receive? Veterans enrolled in the VA health care system will be eligible to receive inpatient and outpatient services, including preventive and primary care. These include: diagnostic and treatment services; rehabilitation; mental health and substance abuse treatment; home health, respite and hospice care; and drugs in conjunction with VA treatment.

If I am enrolled, what cost will there be for me? There is no monthly premium for VA care. When you use services, the requirement for co-payments is based on your VA eligibility rating. If you are a veteran with a condition rated 50 percent service connected or more, or are being treated for a specific service connected condition, you will be provided treatment at no cost. All other co-payment responsibilities are set by law and are dependent on your individual or family's income if you have dependents.

Is this an insurance policy or an HMO? It is neither. VA health benefits are established by Federal law and regulations and funded through appropriations. They are not the same as an insurance contract. Also, veterans do not pay monthly premiums to receive VA health care. In addition, you are not required to use VA as your exclusive health care provider. If you have health insurance, or eligibility for other programs such as Medicare, Medicaid, or CHAMPUS, you may continue to use services under those programs. We recommend that, if you have other insurance or HMO coverage, you should keep that coverage to provide you with options and flexibility in the future.

Do enrolled veterans have to pay the deductibles that their insurance carrier requires when treated at VA? No. VA does not require veterans to pay those charges. In addition many insurance companies will apply VA co-payment charges toward satisfaction of their annual deductible.

Are there any restrictions on getting care in private facilities? Yes. Care in private facilities at VA expense is provided only under certain circumstances, namely, when VA has a contract arrangement for certain services or when a veteran who is service disabled is too far from a VA facility to receive care.

What is the coverage for emergency services? Emergency care is provided in VA facilities, in certain non-VA facilities with which VA has a specific contract arrangement, or in private facilities if you are service-connected 50% or greater, or require emergency medical care for a service-connected disability. In the last case, you or your representative should contact the nearest VA medical facility within 72 hours of receiving non-VA medical care to obtain authorization.

What if I get sick while on travel? You may receive care at any VA facility in the country. To minimize any "out of pocket expenses", while traveling you should familiarize yourself with the location of any VA medical care facilities in the area. VA requires all veterans who seek care at VA expense to obtain care in VA facilities. If a VA medical facility does not exist in the area you are traveling, you should seek medical care from the closest non-VA medical care facility. While there, have an official at the facility contact the closest VA medical care facility to determine your eligibility for non-VA medical care at VA expense.

If enrolled, can I get dental care? In general, dental benefits are limited to service-connected dental conditions or to veterans who are permanently and totally disabled. For specifics, contact the VA health benefits advisor at your local VA facility.

Will VA take care of my nursing home needs? Nursing home care in VA or private nursing homes may be provided, as space and resources permit, to certain veterans who are acutely ill or incapacitated but not in need of hospital care. To determine if you are eligible for VA nursing home care, you will need to contact the nearest VA medical facility.

Will VA provide hearing aids and eyeglasses? Yes, if you are service-disabled with a disability rating of 10% or greater. Otherwise, hearing aids and eyeglasses will only be provided in special circumstances, and not for generally occurring hearing or vision loss.

What kind of maternity services are available? VA provides maternity benefits only for pregnancies complicated by a pathological condition, usually service-connected. VA has no legal authority to care for a newborn infant. VA is considering asking Congress to remove the restriction on care of newborns so that it can offer maternity services as part of the benefits package.

Are there any limits on days of care or outpatient visits VA will provide? No, your treating physician will determine what is considered appropriate and necessary hospital care or outpatient services and will provide such care consistent with current medical care practices

Can I enroll my wife and children? Non-veterans are not eligible to enroll in the VA health care system. A veteran's spouse or dependent may be eligible for VA medical benefits under the Civilian Health and Medical Program commonly referred to as "CHAMPVA" or if it is determined that child of a Vietnam veteran is suffering from spina bifida. Eligibility for CHAMPVA benefits or VA medical care resulting from spina bifida may be verified by the VA Toll Free Customer Service Center at 1-877-222-VETS.

Once enrolled, do I have to re-enroll each year? Your enrollment will be automatically renewed each year unless you notify VA that you do not want to re-enroll; you do not provide VA with information necessary to determine your enrollment priority; or VA resources limit the number of veterans VA can enroll. The last enrollment information you provided will be mailed to you to be updated.

I thought I have been enrolled in the VA Healthcare system since I applied at my VA Hospital last January. Why am I now receiving a confirmation letter telling me that I have just been enrolled? The VA had established an interim process to begin taking applications for enrollment. Until we reviewed the application and determined your eligibility and enrollment status, you were not technically enrolled. That process has begun and this letter confirms your enrollment in the VA's health care system.

Are all veterans being notified of their enrollment confirmation at the same time? The VA will be sending out confirmation letters by priority group therefore veterans will be notified at different times during the June through September 1998 timeframe.

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

Summary of 10/26/99 Public Hearing Lister-Knowlton VFW Post Caribou

Members attending: Chair Daggett; Sens. Carey, LaFountain, Ferguson; Reps. Gagne, Buck, Treadwell and Hatch.

Other legislators attending: State Sen. Leo Kieffer; State Rep. Richard Kneeland.

Maine Veterans' Memorial Cemetery, Caribou: Pete Miesburger, a member of the board of the Maine Veterans' Home, Caribou, and a past state commander of the VFW, updated the committee on efforts to establish the Caribou veterans' cemetery. Noting that the Legislature had appropriated \$15,000 to fund a survey of the 57-acre Caribou property being donated by John Noble to the State, Miesburger said Aroostook County veterans were united in their efforts to get the new cemetery operational regardless of the obstacles presented to them. He described the veterans unsuccessful attempts to acquire from the Loring Development Authority an unused building at the former Loring AFB for use at the new cemetery. "This cemetery is going to fly and with or without the help from the Loring Development Authority we'll make it happen," Miesburger said. The Lister-Knowlton VFW Post has donated \$500 to form a veterans' cemetery association to help establish and maintain the Caribou cemetery, he said. "Tell those people out at Loring to give us the equipment and tools we need and we'll make it happen," he added. Miesburger also inquired of State Rep. Richard Kneeland, a member of the Joint Standing Committee on Appropriations and Financial Affairs, if additional funding for the Caribou cemetery will be available to open and operate the cemetery once the transfer of title occurs at the end of the year. Rep. Kneeland replied that funding for the Caribou cemetery will be included in funding for the state veterans' cemeteries.

Staffing/housing of Aroostook Region Veterans' Service Office: Several veterans noted that the regional Veterans' Service Officer has only one half-time

support staff to assist him in covering the entire county. One veteran from Limestone said he had seen the disruption caused in the regional state veterans' services office when the VSO has to answer the phone at the same time he is trying to assist a veteran with his or her case. Another veteran noted that the VSO has had difficulty keeping support staff because the position is only a half-time position and most people need a full-time job. It was also pointed out that the VSO's office in Caribou was frequently was too cold during the winter to work in comfortably. Another veteran maintained that the single VSO and half-time staff for a county the geographic size of Aroostook and with approximately 15,000 veterans is "ridiculous." Another veteran argued that Aroostook County needs "a lot more VSO's. There are a lot of veterans up here and they have to travel a long way to get services."

Maine Bureau of Veterans' Services staffing: One veteran noted that the Governor's Working Group on Aging Veterans recommended last year that the State restore staffing for the Maine Bureau of Veterans Services to its pre-1991 level. "I don't think that's been done," he observed.

Expanding disabled veterans' dependents' educational benefits to private schools: A disabled veteran from Connor Township urged the committee to consider expanding the educational benefits for the dependents of disabled veterans to private schools and programs. He noted that his son has had the entire cost of his tuition at the University of Maine at Farmington covered by the State. His daughter, however, has had to pay her dorm fees and hospital fees to participate in the hospital-based radiology degree program in which she is enrolled through the Central Maine Technical Center.

Veterans' benefit booklet: Several veterans proposed that the State do more to publicize the state benefits available to veterans. "It's an information issue," said one veteran. "I would estimate that 85-90 percent of the veterans don't have a clue" about the benefits they may be eligible to receive.

Retirement exemption: One veteran suggested that the State should provide a state income tax exemption on his military retirement pay.

Veterans' benefits in general: "The benefits Maine provides to its veterans sucks," said one veteran. "Compared to a lot of other states, ours are in the garbage can. Our veterans in Maine deserve a lot more than that." In response to a question from the chair, the veteran declined to prioritize what benefits should be added or enhanced. "Everything the State gives us should be doubled or tripled or given for nothing. You can't prioritize anything when it comes to a veteran," he maintained.

Addendum:

Veterans cemetery site visit: Several committee members visited the site of the future Maine Veterans' Memorial Cemetery in Caribou on October 27, 1999. The 57-acre site is located off the Washburn Road adjacent to the business and residence of John T. Noble, who is donating the property to the State. A survey of the property, which was funded during the First Session, is nearly complete. MBVS Director Soares indicated that the Bureau is proposing that the Governor request an additional \$40,000 to help fund the operation of the cemetery in the coming fiscal year. The current MVMC budget does not contain funds to support the new Caribou cemetery, he said. Some of the equipment needs of the new cemetery would be met by moving some of the present equipment at the Augusta cemetery to Caribou, he added. Soares said the Bureau planned to contract for the development of a master plan for the Caribou cemetery with the expectation that a draft plan would be ready by next spring. The Bureau is in hopes that no burials will occur before completion of the master plan.

Committee members also were advised during the site visit that the location poses no environmental threats. "We can bury right now," one veteran said. The cemetery association being established by Aroostook County veterans (See Pete Miesburger comments above.) will be modeled after the association that currently assists the MVMC in Augusta.

The new cemetery, which will provide burial plots for up to 46,000 veterans, could be expanded in the future, Director Soares noted. A neighbor of the Caribou cemetery site has indicated his willingness to donate several acres of his land in the future should the cemetery have a need for it.

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

Summary of 10/27/99 Public Hearing Maine Veterans' Home Bangor

Members attending: Acting Chair Gagne; Sens. Ferguson and Carey; Reps. Hatch, Dugay, Treadwell and Buck.

Other legislators attending: Rep. Dusty Fisher.

Reinstating emergency funds for veterans in need: LD 1934 proposes to restore funding for emergency assistance for funds. Maine Veterans Coordinating Committee supports this, said one veteran, who was concerned that passing the bill in its current form would even create more problems for veterans. To prevent these problems, the funds should be classified as welfare funds so that the veterans have access to legal assistance. The general assistance designation is necessary to get these free legal services, he claimed.

Fund a veterans' advocate within Pine Tree Legal: A veteran recommended that funding be provided for a veterans' advocate in at least one of the Pine Tree Legal Assistance Inc. offices in the State. Many veterans are poorly educated about whether or not they are eligible for veterans services or benefits, he said. A veterans' advocate would help make them aware of their veterans' benefit status and make sure they get the legal assistance to which they are entitled.

Veterans' Benefit information: A number of veterans inquired about getting a summary of benefits available to veterans. They were apprised of the compilation of veterans laws published by the MBVS and the committee's concern about the notification and communication issue. Director Soares also urged veterans with questions to visit with their area VSO to describe their situation and make sure they are getting the benefits they deserve.

Loss of prescription coverage by VA: A veteran from Bangor complained that he will lose VA funding for his prescription drugs because he had “too much money in the bank.” The cost of the prescriptions represents \$6,000 to \$7,000 a year of his income, the veteran said. He said he did not understand why he was being penalized for saving his money rather than spending it on “booze and women.” He was referred to MBVS for further assistance with his complaint.

Change the veteran’s license plate: A veteran from Howland requested that the design on the veterans’ license plate be changed. “Instead of the red ‘V,’ some of us veterans would like to see an American Flag or something like that,” he said.

Military Funeral: The widow of a Brewer career service veteran said that she was promised military honors for her husband’s funeral, but that the observance request was not fulfilled. Director Soares noted the woman’s case was not unusual because the U.S. Department of Defense is not fulfilling all the requests made to them. “It’s hit or miss,” he said. Soares said the DOD is proposing to provide funds to state National Guards or the veterans’ volunteer organizations to provide the color guards at veterans’ funerals.

Addendum:

MBVS Director Soares briefly described the status of the veterans’ cemetery expansion projects, noting that the additional space should serve the States’ veterans for many years providing another war does not occur. He also apprised the audience of the burial benefits available to the veteran and the veteran’s dependents.

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

Summary of 11/01/99 Public Hearing Augusta State Armory Augusta

Members attending: Chairs Daggett and Tuttle; Sen. Ferguson; Reps. Gagne, LaBrecque, Buck and Dugay.

Low-cost loan for veterans' education: A representative from the Advisory Council on the Education on Veterans and the Military in Maine (ACEM) proposed that the committee include in its report a recommendation that the State provide low-cost loans to veterans to supplement the Federal GI Bill. These loans would be particularly helpful to veterans in school who still need to support their families, according to Bruce Darsey. He said the program could be administered by MES or FAME and would represent a very minimal risk of loan default because of the good track record of loan repayment by veterans. ACEM made a similar proposal to the Governor's Task Force on Aging Veterans but no action has been taken on that recommendation to date, said Darsey.

Darsey also said ACEM urges the Legislature to reinstate funding for the Emergency Assistance for Dependents of Veterans program to help fund dependents of veterans who attend post-secondary private institutions. He indicated he would provide the committee with specific written proposals before the Nov. 15th meeting.

Graveside services at MVMC: A veteran from Augusta urged a change in policy at the MVMC to allow graveside services. He cited incidents of what he said were "not proper" burials and maintained that graveside services. A Sidney man said that when his father was buried several years ago the family was allowed a graveside service. However, when his mother died recently she was denied the same type of graveside service held for her husband. "I think we should have a choice," he said, "between chapel and graveside services." Another veteran asked why the State does not simply let the directors of private funeral homes do the burials services at the cemetery.

Who is a veteran? A number of veterans attending the public hearing suggested the term “veteran” should be defined very broadly: “A veteran is a person who rose his hand and promised to protect his county,” said one veteran from Jay. “It doesn’t matter whether it was for two years service or four years service or 30 years service.” Another veteran from Fayette said people should not get hung up on whether a veteran is a war-time or peace-time veteran. He agreed with the broad definition, but observed that it would be difficult to use a broad definition of a veteran under State law in all instances because State could not afford that. But, he suggested, in some State Statutes the definition of “veteran” should be defined narrowly and in others more loosely. Each statute should be looked at separately to make the determination of who should be eligible.

Veterans’ graves: A veteran from Fayette argued that the very least the State ought to do for a veteran is to take care of the veteran’s grave.

Addendum:

Summary of Committee Meeting on 11/01/99

Attending: Chairs Daggett and Tuttle; Sen. Ferguson; Reps. Dugay, LaBrecque, Gagne and Buck.

1. Director Soares presented the committee with the Department’s proposed resolution of three of the issues before the committee. (See attached Memorandum.) In summary, those are:

- **Consolidation of MRSA:** Require the Commissioner of the Department of Defense, Veterans and Emergency Management to recommend to the Legislature on a biennial basis any changes in Maine statutes that are necessary to reflect changes in Federal veterans’ law. No agency currently is charged with this responsibility.
- **Eligibility for Benefits:** Sufficient time is not available to make a detailed study of the eligibility for veterans benefits resulting from inconsistencies in the definition of a veteran in State statute. The Department recommends that the Commissioner be charged with making recommendations on this issue in the commissioner’s first report to the 120th Legislature. Future recommendations would be provided by the Commissioner during biennial reviews.
- **Staffing of Bureau Offices:** Reinstate clerk positions in four regional offices to full-time status.

2. Cathy Curtis, Director of the Vehicle Services Division at the Bureau of Motor Vehicles, Office of Secretary of State, and Rebecca Wyke, Deputy Secretary of State, presented the committee with information about veteran vehicle registrations. (See attached spreadsheets entitled, "Veteran Registration Information" and "Cost of Registration Plate Benefits for Veterans.")

3. The committee also received a letter from General Adams providing his observations on the graveside services policy at MVMC. The letter is attached.

4. Staff distributed a revised working list of issues for the committee to review and consider prior to the committee's last scheduled meeting on November 15th.

APPENDIX J

Draft legislation and letters to standing committees

TITLE:

Resolve, to Provide Funds to the Maine Bureau of Veterans' Services to Enhance the Efficiency of Regional Field Offices in Delivering Services to Veterans

Sec. 1. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

2000-01

**DEFENSE, VETERANS AND EMERGENCY
MANAGEMENT, DEPARTMENT OF**

Bureau of Veterans Services

Personal Services	\$55,000
All Other	\$60,000

Provides funds to the Maine Bureau of Veterans Services to hire one new full-time support staff and to convert four part-time support staff positions to full-time staff positions in the bureau's regional field offices, and for the purchase of new computers and software and to provide staff training in computer applications for staff in the bureau's regional field offices.

SUMMARY

This resolve implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It restores funding for support staff positions in the Maine Bureau of Veterans' Services regional field offices that was eliminated in the budget cuts of 1990. The personal services funds will support the hiring of one new support staff in the Bureau's Springvale office and increase from part-time to full-time positions the support staff in four other regional offices. The resolve also will provide the bureau funds to purchase new computers and software for the regional offices that will, among other things, link them with the bureau's Togus Claims Office. The funds also will provide computer training to regional office staff.

TITLE:

An Act Concerning Motor Vehicle Registration and Title Fees for Certain Veterans' License Plates

Sec. 1. 29-A MRSA §523(3), ¶1 is amended to read:

3. Special veterans registration plates. The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, ~~the registration fee required by section 501 and a one-time additional fee of \$5, a reduced registration fee of \$5 annually,~~ shall issue a registration certificate and a set of special veterans registration plates to be used in lieu of regular registration plates to any person who has served in the United States Armed Forces and who has been honorably discharged. If a veteran is the primary driver of 2 vehicles, the Secretary of State may issue in accordance with this section a set of special veterans registration plates for each vehicle.

Sec. 2. 29-A MRSA §524(2), ¶1 is amended to read:

2. Former prisoners of war; special license plates. The Secretary of State on application and upon evidence of payment of the excise tax required by Title 36, section 1482, and in accordance with the provisions of section 603, subsection 5, shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any civilian citizen of the United States who was interned as a prisoner of war and to any person who served in the United States Armed Forces and who was a prisoner of war at any time during tenure of service, or the surviving spouse of a former prisoner of war who is deceased, when that application is accompanied by a copy of the appropriate military form or other official form issued by the Federal Government specifically to former prisoners of war and their spouses and the privilege of using the special plate is transferable only on the death of the former prisoner of war to the former prisoner's spouse. Upon the death of the former prisoner of war, the surviving spouse may retain and display the special license plate. Upon remarriage, the surviving spouse may not use the special license plate on a motor vehicle, but may retain it as a keepsake. Upon the death of the surviving spouse, the family may retain the special license plate, but not use it on a motor vehicle.

Sec. 3. 29-A MRSA §524(3), ¶1 is amended to read:

3. Pearl Harbor survivors; special license plates. The Secretary of State on application and upon evidence of payment of the excise tax required by Title 36, section 1482, and in accordance with the provisions of section 603, subsection 5, shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any person who served in the United States Armed Forces and who was stationed in at Pearl Harbor, Oahu, Hawaii during the attack by Japanese forces on December 7, 1941, when that application is accompanied by appropriate military certification verifying the applicant's service

at Pearl Harbor during the attack. This special license plate is issued specifically to Pearl Harbor survivors and the privilege of using the special plate is not transferable.

Sec. 4. 29-A MRSA §524(4), ¶1 is amended to read:

4. Purple Heart medal recipients; special license plates. The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, ~~the registration fee required by section 501 and a one-time additional fee of \$10, and in accordance with the provisions of section 603, subsection 5,~~ shall issue a registration certificate and a set of Purple Heart registration plates to be used in lieu of regular registration plates, to a person who is a Purple Heart medal recipient. ~~The one-time additional fee of \$10 is credited to the Highway Fund for administrative and production costs.~~

SUMMARY

This bill implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It reduces from \$25 to \$5 the annual registration fee paid by honorably discharged veterans who use the special veterans registration plates in lieu of regular registration plates. The bill also clarifies that any qualified veteran who obtains the Purple Heart medal recipient plate, the Pearl Harbor Survivor plate, or the Former Prisoner of War plate is exempt from paying either an annual registration fee or a title fee for the privilege of acquiring and displaying these special plates.

TITLE:

An Act to Expand the Eligibility for the Veterans' Property Tax Exemption

Sec. 1. 36 MRSA §653, sub-§1, ¶C is amended to read:

C. The estates up to the just value of \$5,000, having a taxable situs in the place of residence, of veterans who served were honorably discharged from active duty in the Armed Forces of the United States:

~~(1) During any federally recognized war period, including the Korean Campaign, the Vietnam War and the Persian Gulf War, when~~ When they have reached the age of 62 years or when they are receiving any form of pension or compensation from the United States Government for total disability, service-connected or nonservice-connected, as a veteran. ~~A veteran of the Vietnam War must have served on active duty for a period of more than 180 days, any part of which occurred after August 5, 1964 and before May 7, 1975, unless the veteran died in service or was discharged for a service-connected disability after that date. "Vietnam War" means the period between August 5, 1964 and May 7, 1975. "Persian Gulf War" means service on active duty between August 7, 1990 and April 11, 1991; or~~

(2) Who are disabled by injury or disease incurred or aggravated during active military service in the line of duty and are receiving any form of pension or compensation from the United States Government for total, service-connected disability.

The exemption provided in this paragraph apply to the property of that veteran including property held in joint tenancy with that veteran's spouse or held in a revocable living trust for the benefit of that veteran.

Sec. 2. 36 MRSA §653, sub-§1, ¶F sub-¶2 is amended to read:

(2) Notwithstanding any other provisions of this paragraph, prior to April 1, 1982, any person claiming an exemption under paragraph C who is receiving any form of pension or compensation the Federal Government for total disability, service-connected or nonservice-connected, as a veteran, and any person claiming an exemption under paragraph C-1, D, D-1, D-2 or D-3 is not required to meet the standards specified in subparagraphs (1) and (2). Any such person who received an exemption in 1980 is not required to reapply in

1981. Exemptions granted under this section that are reimbursable pursuant to section 661 are not considered eligible for reimbursement under paragraph H. Any person whose exemption is reimbursable under section 661 is, for 1981 entitled to an extension until May 1, 1981 for filing a writing application and written proof of entitlement for exemption with the assessors of the place in which the person resides, notwithstanding the provisions of paragraph G. Exemptions granted under this section on or after April 1, 2001 require a 100% reimbursement to the municipality for the property tax revenues lost to that municipality. Exemptions granted on or after April 1, 2001 under this section are not considered eligible for reimbursement under paragraph H. Municipal property tax revenues lost as a result of exemptions granted prior to April 1, 2001 are not 100% reimbursable, but may be reimbursable under section 661.

Sec. 3. Notification. Maine Revenue Services shall notify by regular mail each municipality of the provisions of this Act at least 60 days prior to the Act's effective date.

Sec. 4. Effective date. The exemption authorized by this Act is effective April 1, 2001.

SUMMARY

This bill implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It expands eligibility for the veterans' property tax exemption and removes from statute eligibility requirements related to federally recognized periods of war. The bill makes all honorably discharged veterans who have reached the age of 62 or older eligible for the veterans' property tax exemption. It also requires the State to reimburse municipalities for 100% of the property tax revenues lost as a result of the veterans' property tax exemption authorized by this bill. The bill also requires Maine Revenue Services to notify municipalities of this new exemption at least 60 days prior to its effective date. The exemption authorized by this bill is effective April 1, 2001.

Title:

An Act Concerning the Rules of Maine Veterans' Memorial Cemetery

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

Sec. 1. 37-B MRSA §503-A is amended to read:

§503-A. Rules

The Commissioner of Defense, Veterans and Emergency Management may, in accordance with Title 5, chapter 375-subchapter II, adopt reasonable rules necessary to carry out this chapter, ~~provided that, regulations~~ Rules pertaining to the management of the Veterans' Memorial Cemetery are ~~not~~ rules within the meaning of Title 5, section 8002, subsection 9 and are major substantive rules as defined in Title 5, chapter 375, subchapter II-A. The Commissioner shall develop proposed cemetery rules through a consensus-based rule development process pursuant to Title 5, section 8051-B.

Sec. 2. Effective date. This Act becomes effective on August 1, 2000.

Summary

This bill implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It designates the rules governing the operation of the Maine Veterans' Memorial Cemetery as major substantive rules subject to rulemaking. The bill also requires the Commissioner of the Department of Defense, Veterans and Emergency Management to develop proposed rules through a consensus-based process in advance of rulemaking.

Title:

Resolve, to Provide Funds to Assist in the Expansion of the Maine Veterans' Memorial Cemetery System

Sec. 1. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve:

2000-01

**DEFENSE, VETERANS AND EMERGENCY
MANAGEMENT, DEPARTMENT OF**

Maine Veterans' Memorial Cemetery

All Other	\$65,000
-----------	----------

Provides additional operating funds to the Maine Veterans' Memorial Cemetery System to purchase additional equipment and for other expenses related to the expansion of the cemetery system.

Summary

This resolve implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It provides additional operating funds to the Maine Veterans Memorial Cemetery System to support expansion of the system.

Title:

An Act Concerning Eligibility Requirements for State Employees in the Purchase of Military Service Credits

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

Sec. 1. 5 MRSA §17760, sub-§2, ¶¶A-E are amended to read:

2. Service before becoming a member. A member who served as a full-time active duty member of the armed forces before becoming a member of the retirement system is entitled to service credit for the period of time ~~he~~ the member served in the armed forces, under the following terms and conditions.

- A. On the date of retirement, the member must have at least ~~15~~ 5 years of creditable service.
- B. (Repealed)
- C. The member must have separated from the armed forces under conditions other than dishonorable, providing that the separation was not upgraded through a program of general amnesty.
- D. ~~Except as provided in paragraph E, the member must have begun membership before January 1, 1976.~~
- E. ~~A member who served in the armed forces during any federally recognized period of conflict, as defined in Title 37 B, section 504, subsection 4, paragraph A-1, subparagraph (3), is entitled to service credit under this subsection.~~

Summary

This bill implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. This bill reduces from 15 to 5 years the years of creditable service a state employee who is a member of the Maine State Retirement System must have before the employee is eligible to purchase service credits for service in the Armed Forces of the United States. It also removes a requirement that members joining after January 1, 1976 have served in a federally recognized period of conflict to be eligible to purchase military service credits.

Title:

An Act to Require The Department of Defense, Veterans and Emergency Management to Report to the Legislature on Matters Related to State Veterans' Laws

Sec. 1. 37-B MRSA §3, sub-§1, ¶14 is enacted to read:

(14.) The Adjutant General shall report at the beginning of each biennium to the joint standing committee of the Legislature with jurisdiction over veterans' affairs on any recommended changes or modifications to the statutes governing veterans' affairs, particularly as these changes or modifications relate to changes in Federal veterans' laws.

Sec. 2. Veterans' Benefits Eligibility Criteria Study. The Commissioner of the Department of Defense, Veterans and Emergency Management shall study the laws governing eligibility for State veterans' benefits. The study must examine the inconsistencies among eligibility criteria and make recommendations to resolve these inconsistencies. The commissioner shall report his findings and recommendations to the First Regular Session of the 120th Legislature by December 31, 2000.

Summary

This bill implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It requires the Commissioner of the Department of Defense, Veterans and Emergency Management to report biennially to the Legislature on recommended changes to the statutes governing veterans' affairs. The bill also requires the Commissioner to study the laws governing eligibility for state veterans' benefits and to report his findings and recommendations by December 31, 2000.

Title:

An Act to Designate as Public Assistance Emergency Assistance for Dependents of Veterans

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

Sec. 1. 37-B MRSA §505, sub-§4 is enacted to read:

4. Public assistance designation. Assistance granted to veterans or their dependents pursuant to this section is designated public assistance within the meaning of Title 22, section 9-A. However, the Department of Defense, Veterans and Emergency Management retains administrative responsibility for assistance granted under this section.

Summary

This bill implements one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. It proposes to designate as public assistance aid provided to veterans and their dependents pursuant to Title 37-B. The bill requires that the Department of Defense, Veterans and Emergency Management retain administrative responsibility for this aid.

SENATE

BEVERLY C. DAGGETT, DISTRICT 15, CHAIR
RICHARD J. CAREY, DISTRICT 14
NORMAN K. FERGUSON, JR., DISTRICT 24

DANIELLE D. FOX, LEGISLATIVE ANALYST
CHRISTOPHER J. SPRUCE, LEGISLATIVE ANALYST
ELAINE DOAK, COMMITTEE CLERK



STATE OF MAINE

HOUSE

JOHN L. TUTTLE, JR., SANFORD, CHAIR
ALBERT P. GAMACHE, LEWISTON
NANCY L. CHIZMAR, LISBON
CHARLES D. FISHER, BREWER
ROSITA GAGNE, BUCKFIELD
JANICE E. LABRECQUE, GORHAM
ARTHUR F. MAYO III, BATH
ROYCE W. PERKINS, PENOBSCOT
THEODORE H. HEIDRICH, OXFORD
TERRENCE P. MCKENNEY, CUMBERLAND

ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

December 15, 1999

Senator Michael Michaud, Senate Chair
Representative Elizabeth Townsend, House Chair
Joint Standing Committee on Appropriations
and Financial Affairs
2 State House Station
Augusta, ME 04333-0003

Dear Senator Michaud and Representative Townsend:

On behalf of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits, we write to urge your support for LD 1934, Resolve, to Reinstate Emergency Assistance for Dependents of Veterans.

In the study committee's report, the following recommendation was made with regard to LD 1934:

"Recommendation: The committee unanimously urges passage of an amended version of LD 1934, Resolve, to Reinstate Emergency Assistance for Dependents of Veterans, which was carried over to the Second Regular Session by the Joint Standing Committee on Appropriations and Financial Affairs."

The committee heard frequent testimony during the four public hearings it held across the State last fall in support of reinstating the funds for Title 37-B, Section 505 that were cut during the budget crisis of the early 1990s. We request that the Appropriations will act favorably on LD 1934 and restore the "safety net" for Maine's veterans and their dependents.

Sincerely,

Senator Beverly Daggett, Senate Chair

A handwritten signature in black ink, appearing to read 'John'.

Representative John Tuttle Jr., House Chair

Page Two
LD 1934
12/15/99

Members of Committee to Study Standardized Periods of Military Service and Other Matters
Related to the Award of State of Maine Veterans' Benefit;

Sen. Beverly Daggett, Senate Chair
Sen. Richard Carey
Sen. Vinton Cassidy
Sen. Norman Ferguson
Sen. Lloyd LaFountain
Sen. Betty Lou Mitchell

Rep. John Tuttle, House Chair
Rep. John T. Buck
Rep. Edward Dugay
Rep. Rosita Gagne
Rep. Pamela Henderson-Hatch
Rep. Janice Labrecque
Rep. Russell P. Treadwell

cc: Senator Mark Lawrence, Senate President
Representative G. Steven Rowe, Speaker of the House
Members, Veterans' Benefit Study Committee

SENATE

BEVERLY C. DAGGETT, DISTRICT 15, CHAIR
RICHARD J. CAREY, DISTRICT 14
NORMAN K. FERGUSON, JR., DISTRICT 24

DANIELLE D. FOX, LEGISLATIVE ANALYST
CHRISTOPHER J. SPRUCE, LEGISLATIVE ANALYST
ELAINE DOAK, COMMITTEE CLERK



STATE OF MAINE

HOUSE

JOHN L. TUTTLE, JR., SANFORD, CHAIR
ALBERT P. GAMACHE, LEWISTON
NANCY L. CHIZMAR, LISBON
CHARLES D. FISHER, BREWER
ROSITA GAGNE, BUCKFIELD
JANICE E. LABRECQUE, GORHAM
ARTHUR F. MAYO III, BATH
ROYCE W. PERKINS, PENOBSCOT
THEODORE H. HEIDRICH, OXFORD
TERRENCE P. MCKENNEY, CUMBERLAND

ONE HUNDRED AND NINETEENTH LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

December 15, 1999

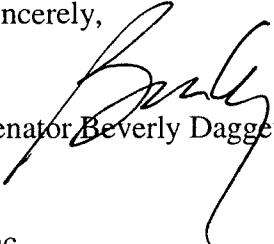
Senator Georgette Berube, Senate Chair
Representative Michael Brennan, House Chair
Joint Standing Committee on Education and Cultural Affairs
3 State House Station
Augusta, ME 04333-003

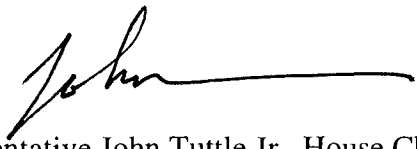
Dear Senator Berube and Representative Brennan:

We are writing to your committee on behalf of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits. During our deliberations, we heard from a number of veterans who were concerned about educational financing opportunities that could help veterans supplement the Federal Montgomery G.I. Bill. One veterans' group, The Advisory Council on the Education of the Military and Veterans in Maine (ACEMVM), proposed that the State establish a Maine Veterans' Higher Education Loan Program. We have attached the letter from ACEMVM outlining their proposal.

The study committee voted to refer this issue to your committee because several committee members were concerned that the ACEMVM proposal might duplicate existing educational loan programs for which veterans already are eligible. We respectfully request that your committee discuss this issue with representatives of the Maine Bureau of Veterans Services and ACEMVM at your earliest convenience.

Sincerely,


Senator Beverly Daggett, Senate Chair


Representative John Tuttle Jr., House Chair

enc.

Page Two
Education Committee
12/15/99

cc: Senator Mark Lawrence, Senate President
Representative G. Steven Rowe, Speaker of the House

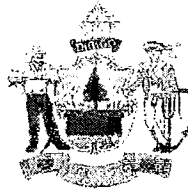
Members, Veterans' Benefits Study Committee:

Senator Beverly Daggett, Chair	Representative John Tuttle Jr. , Chair
Senator Richard Carey	Representative Rosita Gagne
Senator Lloyd LaFountain	Representative Edward Dugay
Senator Norman Ferguson	Representative Pamela Henderson-Hatch
Senator Vinton Cassidy	Representative Janice LaBrecque
Senator Betty Lou Mitchell	Representative Russell Treadwell
	Representative John Buck

APPENDIX K

Letter to committee from ACEMVM, Nov. 16, 1999





ADVISORY COUNCIL ON EDUCATION OF THE MILITARY AND VETERANS IN MAINE
 Mr. E. Bruce Darsey, Chair, Maine State Approving Agency for Veterans Education Programs, P.O. Box 377, Winthrop, Maine 04364
 Telephone (207) 377-4661 ♦ Fax (207) 377-4663 ♦ E-mail saa-vets@maine.edu

November 16, 1999

Senator Beverly Daggett/Representative John Tuttle
 Co-Chairs
 Veterans' Benefits Study Committee
 Office of Policy and Legal Analysis
 13 State House Station
 Augusta, Maine 04333-0013

Dear Senator Daggett/Representative Tuttle:

Thank you and members of the Veterans' Benefits Study Committee for receiving our Advisory Council on Education of the Military and Veterans in Maine (ACEMVM) recommendation concerning low cost education loans for veterans at the public hearing on November 1, 1999.

As I mentioned, we had previously made this recommendation to the Maine Working Group on Aging Veterans chaired by MGEN Earl Adams, early in 1998. The gist of the ACEMVM recommendation made then and now to your Committee is to create a low interest education loan program for Maine Veterans. The Advisory Committee made this recommendation because Veterans cannot afford to go to school without working full/part-time while trying to maintain a stable home life. Our recommendation basically consists of:

Eligibility Criteria:

- Legal resident of the State of Maine.
- Veteran/Selected Reservist/Guardsman who is eligible for the Montgomery GI Bill.
- Loan program available during time of eligibility for the Montgomery GI Bill. (10 years from date of discharge)
- Participants must maintain satisfactory academic progress.

Program:

- \$5,000/year for two years at lowest possible interest rate.
- Repayment to begin six months after graduation or stop attending school.

Senator Beverly Daggett/Representative John Tuttle
November 16, 1999
Page 2

Rationale:

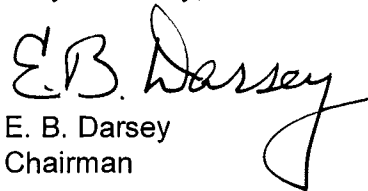
- Usage of the Montgomery GI Bill (MGIB) is the lowest (38%) of any of its predecessors, except one, since enactment of the first GI Bill in June of 1944.
- 60%+ of today's veterans are married and many have children (vs. 20% of Vietnam Era veterans.)
- Cost of undergraduate education increased 94.5% between 1985 and 1996.
- During the same period, MGIB active duty assistance increased 42.6%, MGIB Selected Reserve assistance increased 45.2%.
- 13 States have grant/scholarship programs for veterans. Many offer full tuition at State colleges and universities.
- 32 States have National Guard scholarship/loan programs.

We feel veterans/military personnel eligible to use this loan program would have a very small, if any, default rate and represent very little risk for the State.

The Governor's Working Group on Aging Veterans recommended that Maine create a Maine Veterans' Educational Loan Program. The program would be called the **Veterans Higher Education Loan Program Fund** and would be used by the Department of Defense, Veterans and Emergency Management and Bureau of Veterans Services as a non-lapsing revolving fund to provide direct or secure loans to veterans who have insufficient access to other sources of financial assistance. The program would be administered through the Bureau of Veterans Services.

If we can provide any additional information or answer any questions regarding this proposal, please have Mr. Spruce contact us.

Very Sincerely,


E. B. Darsey
Chairman

Encl: Report from the Maine Working Group
on Aging Veterans

c MGEN Adams (W/O enclosure)
Frank Soares (W/O enclosure)

APPENDIX L

Memo to committee from F. Soares, Nov. 1, 1999



Department of Defense, Veterans and Emergency Management

Bureau of Maine Veterans' Services

Earl L. Adams
Major General
Commissioner

Frank Soares
Director

DATE: November 1, 1999

TO: Senator Beverly Daggett, Co-Chair, Veterans Benefits Study
Representative John Tuttle, Co-Chair, Veterans Benefits Study

FROM: Frank Soares, Director

A handwritten signature in cursive script, appearing to read "Frank Soares".

RE: Recommendations to Correct Veteran Related Issues

The issues listed below, and there proposed solutions, represent the Departments recommended method of resolution.

- Consolidation of MRSA – on the surface it would appear that consolidating all veterans related MRSA into one statute would assist the use by the lay person. However, this solution would make it very difficult for the regular users, the State, to find applicable laws. It is recommended that all the statues be left as listed. However, require in statute that the Commissioner recommends changes and modifications to the Legislative Committee on Legal and Veterans on a biennial basis. This report would insure that all changes in federal law and elsewhere would be accomplished. Currently, no such agency has this responsibility.
- Eligibility for Benefits – throughout State Government, there is not one consistent definition of a veteran or nor one consistent requirement for eligibility for these benefits. This inconsistency gives the public the impression that the laws are capricious. This inconsistency makes veterans angry and confused. On the other hand, a sweeping change to one definition, such as that used at the MVMC, could be excessively costly. Since sufficient time is not available for anyone to make a detailed study of this issue, recommend that the first report of the Commissioner, in the 120th Legislature, make such recommendations. In the future, the Commissioner would be responsible for similar recommendations during biennial reviews.

- Staffing of Bureau Offices – presently Caribou, Machias, Waterville and Portland have half-time clerk positions. Springvale does not have any clerk position at all. Recommend that these positions be reinstated so each office will have at least one clerk in it. Cost estimates are being developed for this request and will be forwarded separately.

APPENDIX M

Letter to committee from B. Hamel, Dec. 10, 1999



LORING COMMERCE CENTRE

Brian N. Hamel
President & CEO

December 10, 1999

Senator Beverly C. Daggett
16 Pine Street
Augusta, ME 04330

Re: Veteran's Cemetery in Caribou

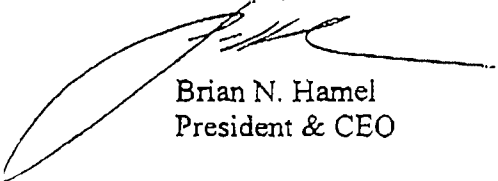
Dear Senator Daggett:

It has come to my attention that you have some concerns with respect to the Loring Development Authority's (LDA) willingness to assist in the development of the Veteran's Cemetery in Caribou. I would like to take this opportunity to assure you that the LDA has always been and will continue to be supportive of this effort. I have enclosed a January 19, 1999 letter to me from Caribou City Manager Richard Mattila requesting that the LDA donate two (2) garage units to be used in the development of the cemetery. Immediately following the receipt of this letter, I contacted Mr. Mattila and indicated that it would be our pleasure to donate these requested garages. Although members of the Veteran's Cemetery Committee have identified the garages to be relocated, to date they have not been moved, but remain available to do so. In addition, we have indicated to members of the Committee that we would be willing to donate other structures that have been declared excess to our needs.

I have discussed this topic with Maine's Adjutant General Earl Adams and you have our collective assurances that similar to our joint efforts to develop and expand the Maine Army National Guard's Refurbishment Center at Loring, we will work collaboratively together to assist in the development of the Veteran's Cemetery in Caribou.

I trust that this letter clarifies any uncertainties that you may have had, and if you have any questions or need additional information, please don't hesitate to give me a call.

Sincerely,

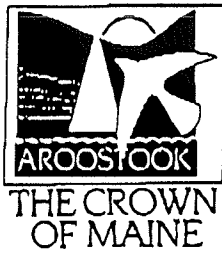


Brian N. Hamel
President & CEO

Enclosure

cc: General Earl Adams

Loring Development Authority of Maine
Post Office Box 457 Limestone, Maine 04750
phone: (207) 328-7005 fax: (207) 328-6811 e-mail: LoringLDA@aol.com

**RECEIVED** JAN 20 1999

CITY OF CARIBOU, MAINE

Municipal Building
25 High Street
Caribou, Maine 04736Telephone
(207) 493-3324
Fax: (207) 498-3954

January 19, 1999

Mr. Brian M. Hamel, President
Loring Development Authority of Maine
PO Box 457
Limestone, ME 04750

Dear Brian,

The Loring Development Authority offered to donate garages to surrounding communities in 1998. Though we had a number of potentially interested parties they decided not to act on the offer prior to the deadline that you requested.

We have received a belated notice of interest from the Veteran's Cemetery Committee. They are a non-profit organization that intends to establish a Cemetery for Veterans on the Washburn Road in Caribou. We would like to ask you to consider donating two garage units to this organization. They would of course arrange for their removal prior to the date that you plan to demolish the housing.

Thank you for making this offer, and for reconsidering it after your original deadline. Please let me know if this donation is still acceptable to the LDA, and if so, when the units must be removed by the Committee.

Sincerely,



Richard C. Mattila
City Manager

RCM/dl

Cc: Veterans Cemetery Committee, Donald F. Collins
Philip St. Peter

APPENDIX N

Letter from Sen. Daggett to B. Hamel, Dec. 15, 1999

SENATE

BEVERLY C. DAGGETT, DISTRICT 15, CHAIR
RICHARD J. CAREY, DISTRICT 14
NORMAN K. FERGUSON, JR., DISTRICT 24

DANIELLE D. FOX, LEGISLATIVE ANALYST
CHRISTOPHER J. SPRUCE, LEGISLATIVE ANALYST
ELAINE DOAK, COMMITTEE CLERK



STATE OF MAINE

HOUSE

JOHN L. TUTTLE, JR., SANFORD, CHAIR
ALBERT P. GAMACHE, LEWISTON
NANCY L. CHIZMAR, LISBON
CHARLES D. FISHER, BREWER
ROSITA GAGNE, BUCKFIELD
JANICE E. LABRECQUE, GORHAM
ARTHUR F. MAYO III, BATH
ROYCE W. PERKINS, PENOBSCOT
THEODORE H. HEIDRICH, OXFORD
TERRENCE P. MCKENNEY, CUMBERLAND

ONE HUNDRED AND NINETEENTH LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

Mr. Brian Hamel
President & CEO
Loring Development Authority of Maine
P.O. Box 457
Limestone, ME 04750

December 15, 1999

Dear Mr. Hamel:

Thank you for your letter of December 10, 1999. On behalf of the committee to study State of Maine veterans' benefits, we appreciate the Authority's willingness to assist the Veterans' Cemetery Committee by donating surplus military buildings at the old Loring AFB for use at the proposed new cemetery in Caribou. As you know, the Veterans' Cemetery Committee apprised our study committee this fall of the importance of these buildings to the successful opening and continued operation of the veterans' cemetery in Caribou.

The committee is concerned, however, that the buildings donated be in good condition. (*See the attached recommendation from the committee's report to the Legislature.*) The new cemetery is expected to have a very limited budget that will include very little money for refurbishing dilapidated buildings. Any assistance the LDA can provide in ensuring that such expenses are kept to a minimum will be greatly appreciated. We also hope that LDA continues to work collaboratively with the entire central Aroostook region to assist them when your resources make that possible.

Finally, the committee requests that you report in writing by March 1, 2000 to the Joint Standing Committee on Legal and Veterans' Affairs on the progress of your efforts to assist the Veterans' Cemetery Committee in acquiring the surplus buildings. Hearing from you by this date will allow the LVA committee to make appropriate decisions this Session with respect to legislation that is included in the study committee's report.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Beverly Daggett'.

Senator Beverly Daggett, Senate Chair

enc.

cc: Members, Veterans' Benefits Study Committee
Maj. Gen. Earl Adams
Mr. Pete Miesburger
Mr. Don Collins
Mr. Phil St. Peter

APPENDIX O

Excerpt from new Federal code governing honor guard availability

A
file

SEC. 578. FUNERAL HONORS DETAILS FOR FUNERALS OF VETERANS.

(a) **RESPONSIBILITY OF SECRETARY OF DEFENSE-** (1) Subsection (a) of section 1491 of title 10, United States Code, is amended to read as follows:

`(a) **AVAILABILITY OF FUNERAL HONORS DETAIL ENSURED-** The Secretary of Defense shall ensure that, upon request, a funeral honors detail is provided for the funeral of any veteran.'

(2) Section 1491(a) of title 10, United States Code, as amended by paragraph (1), shall apply with respect to funerals that occur after December 31, 1999.

(b) **COMPOSITION OF FUNERAL HONORS DETAILS-** (1) Subsection (b) of such section is amended--

(A) by striking 'HONOR GUARD DETAILS-' and inserting 'FUNERAL HONORS DETAILS- (1)';

(B) by striking 'an honor guard detail' and inserting 'a funeral honors detail'; and

(C) by striking 'not less than three persons' and all that follows and inserting 'two or more persons.'

(2) Subsection (c) of such section is amended--

(A) by striking '(c) PERSONS FORMING HONOR GUARDS- An honor guard detail' and inserting '(2) At least two members of the funeral honors detail for a veteran's funeral shall be members of the armed forces, at least one of whom shall be a member of the armed force of which the veteran was a member. The remainder of the detail'; and

(B) by striking the second sentence and inserting the following: 'Each member of the armed forces in the detail shall wear the uniform of the member's armed force while serving in the detail.'

(c) **CEREMONY, SUPPORT, AND WAIVER-** Such section is further amended--

(1) by redesignating subsections (d), (e), and (f) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (b) the following new subsections:

`(c) **CEREMONY-** A funeral honors detail shall, at a minimum, perform at the funeral a ceremony that includes the folding of a United States flag and presentation of the flag to the veteran's family and the playing of Taps. Unless a bugler is a member of the detail, the funeral honors detail shall play a recorded version of Taps using audio equipment which the detail shall provide if adequate audio equipment is not otherwise available for use at the funeral.

`(d) **SUPPORT-** To provide a funeral honors detail under this section, the Secretary of a military department may provide the following:

`(1) Transportation, or reimbursement for transportation, and expenses for a person who participates in the funeral honors detail and is not a member of the armed forces or an employee of the United States.

`(2) Materiel, equipment, and training for members of a veterans organization or other organization referred to in subsection (b)(2).

`(e) **WAIVER AUTHORITY-** (1) The Secretary of Defense may waive any requirement provided in or pursuant to this section when the Secretary considers it necessary to do so to meet the requirements of war, national emergency, or a contingency operation or other military requirements. The authority to make such a waiver may not be delegated to an official of a military department other than the Secretary of the military department and may not be delegated within the Office of the Secretary of Defense to an official at a level below Under Secretary of Defense.

`(2) Before or promptly after granting a waiver under paragraph (1), the Secretary shall transmit a notification of the waiver to the Committees on Armed Services of the Senate and House of Representatives.'

(d) **REGULATIONS-** Subsection (f) of such section, as redesignated by subsection (d)(1), is amended to read as follows:

`(f) **REGULATIONS-** The Secretary of Defense shall prescribe regulations to carry out this section. Those regulations shall include the following:

`(1) A system for selection of units of the armed forces and other organizations to provide funeral honors details.

`(2) Procedures for responding and coordinating responses to requests for funeral honors details.

`(3) Procedures for establishing standards and protocol.

`(4) Procedures for providing training and ensuring quality of performance.'

(e) **INCLUSION OF CERTAIN MEMBERS OF THE SELECTED RESERVE IN PERSONS ELIGIBLE FOR FUNERAL HONORS-** Subsection (h) of such section, as redesignated by subsection (d)(1), is amended to read as follows:

`(h) **VETERAN DEFINED-** In this section, the term 'veteran' means a decedent who--

`(1) served in the active military, naval, or air service (as defined in section 101(24) of title 38) and who was discharged or released therefrom under conditions other than dishonorable; or

`(2) was a member or former member of the Selected Reserve described in section 2301(f) of title 38.'

(f) AUTHORITY TO ACCEPT VOLUNTARY SERVICES- Section 1588(a) of such title is amended by adding at the end the following new paragraph:

`(4) Voluntary services as a member of a funeral honors detail under section 1491 of this title.'.

(g) DUTY STATUS OF RESERVES IN FUNERAL HONORS DETAILS- (1) Section 114 of title 32, United States Code, is amended--

(A) by striking 'honor guard functions' both places it appears and inserting 'funeral honors functions'; and

(B) by striking 'drill or training otherwise required' and inserting 'drill or training, but may be performed as funeral honors duty under section 115 of this title'.

(2) Chapter 1 of such title is amended by adding at the end the following new section:

`Sec. 115. Funeral honors duty performed as a Federal function

`(a) ORDER TO DUTY- A member of the Army National Guard of the United States or the Air National Guard of the United States may be ordered to funeral honors duty, with the consent of the member, to prepare for or perform funeral honors functions at the funeral of a veteran under section 1491 of title 10. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to perform funeral honors functions under this section without the consent of the Governor or other appropriate authority of the State concerned.

`(b) SERVICE CREDIT- A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive--

`(1) service credit under section 12732(a)(2)(E) of title 10; and

`(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.

`(c) REIMBURSABLE EXPENSES- A member who performs funeral honors duty under this section may be reimbursed for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 50 miles or more from the member's residence.

`(d) REGULATIONS- The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.'

(3) Chapter 1213 of title 10, United States Code, is amended by adding at the end the following new section:

`Sec. 12503. Ready Reserve: funeral honors duty

`(a) ORDER TO DUTY- A member of the Ready Reserve may be ordered to funeral honors duty, with the consent of the member, in preparation for or to perform funeral honors functions at the funeral of a veteran as defined in section 1491 of this title.

`(b) SERVICE CREDIT- A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive--

`(1) service credit under section 12732(a)(2)(E) of this title; and

`(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.

`(c) REIMBURSABLE EXPENSES- A member who performs funeral honors duty under this section may be reimbursed for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 50 miles or more from the member's residence.

`(d) REGULATIONS- The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.

`(e) MEMBERS OF THE NATIONAL GUARD- This section does not apply to members of the Army National Guard of the United States or the Air National Guard of the United States. The performance of funeral honors duty by those members is provided for in section 115 of title 32.'

(4) Section 12552 of title 10, United States Code, is amended to read as follows:

`Sec. 12552. Funeral honors functions at funerals for veterans

'Performance by a Reserve of funeral honors functions at the funeral of a veteran (as defined in section 1491(h) of this title) may not be considered to be a period of drill or training, but may be performed as funeral honors duty under section 12503 of this title'.

(h) CREDITING FOR RESERVE RETIREMENT PURPOSES- (1) Section 12732(a)(2) of such title is amended--

(A) by inserting after subparagraph (D) the following new subparagraph:

'(iii) remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence;'

(5) Section 1481(a)(2) of such title is amended--

(A) by striking 'or' at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting '; or'; and

(C) by adding at the end the following new subparagraph:

'(F) either--

'(i) serving on funeral honors duty under section 12503 of this title or section 115 of title 32;

'(ii) traveling directly to or from the place at which the member is to so serve; or

'(iii) remaining overnight at or in the vicinity of that place before so serving, if the place is outside reasonable commuting distance from the member's residence.'

(j) FUNERAL HONORS DUTY ALLOWANCE- Chapter 4 of title 37, United States Code, is amended by adding at the end the following new section:

'Sec. 435. Funeral honors duty: allowance

'(a) ALLOWANCE AUTHORIZED- The Secretary concerned may authorize payment of an allowance to a member of the Ready Reserve for any day on which the member performs at least two hours of funeral honors duty pursuant to section 12503 of title 10 or section 115 of title 32.

'(b) AMOUNT- The daily rate of an allowance under this section is \$50.

'(c) FULL COMPENSATION- Except for expenses reimbursed under subsection (c) of section 12503 of title 10 or subsection (c) of section 115 of title 32, the allowance paid under this section is the only monetary compensation authorized to be paid a member for the performance of funeral honors duty pursuant to such section, regardless of the grade in which the member is serving, and shall constitute payment in full to the member.'

(k) CLERICAL AMENDMENTS- (1) The heading for section 1491 of title 10, United States Code, is amended to read as follows:

- 'Sec. 1491. Funeral honors functions at funerals for veterans'

(2)(A) The item relating to section 1491 in the table of sections at the beginning of chapter 75 of title 10, United States Code, is amended to read as follows:

'1491. Funeral honors functions at funerals for veterans.'

(B) The table of sections at the beginning of chapter 1213 of such title is amended by adding at the end the following new item:

'12503. Ready Reserve: funeral honors duty.'

(C) The item relating to section 12552 in the table of sections at the beginning of chapter 1215 of such title is amended to read as follows:

'12552. Funeral honors functions at funerals for veterans.'

(3)(A) The heading for section 114 of title 32, United States Code, is amended to read as follows:

'Sec. 114. Funeral honors functions at funerals for veterans'

(B) The table of sections at the beginning of chapter 1 of such title is amended by striking the item relating to section 114 and inserting the following new items:

'114. Funeral honors functions at funerals for veterans.

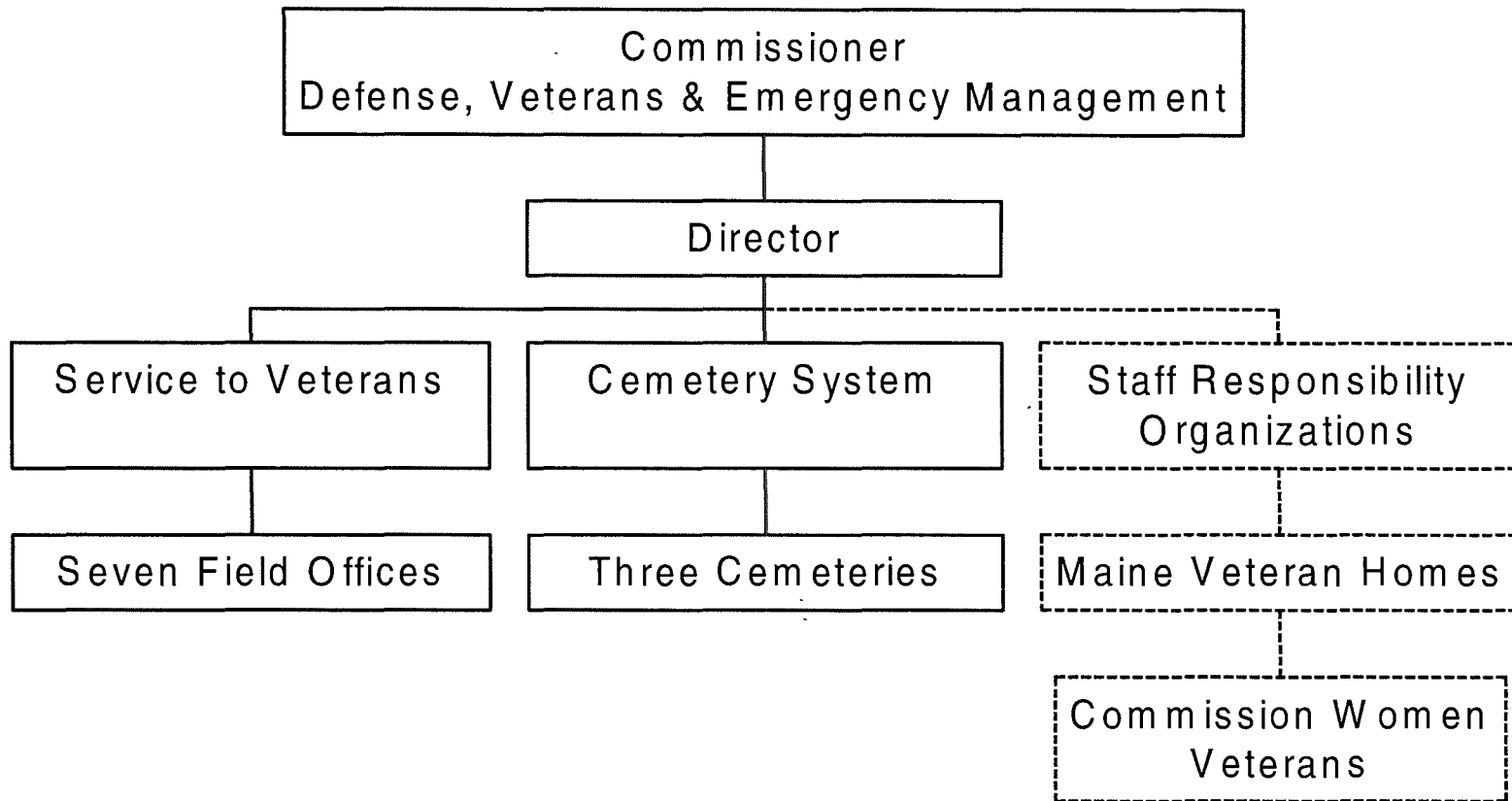
'115. Funeral honors duty performed as a Federal function.'

(4) The table of sections at the beginning of chapter 4 of title 37, United States Code, is amended by adding at the end the following new item:

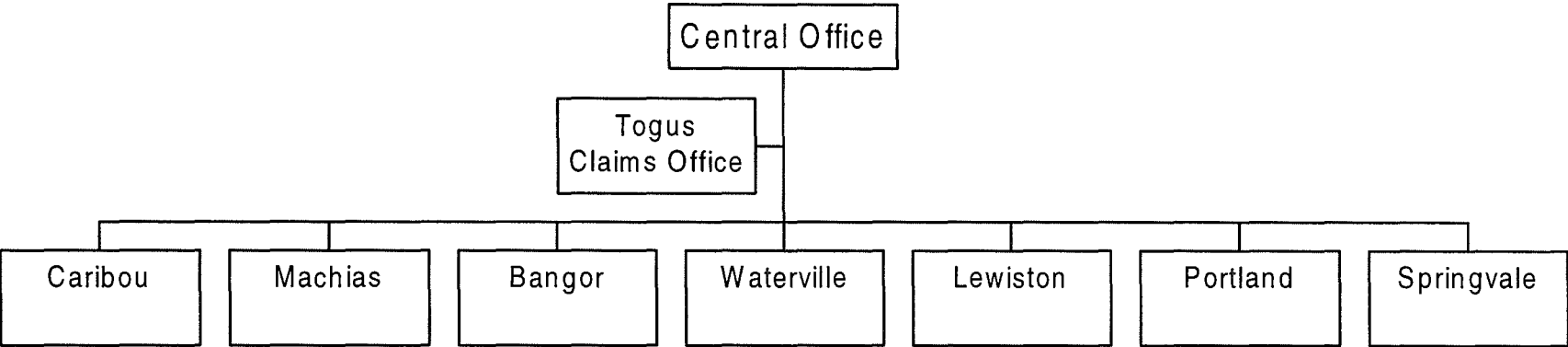
'435. Funeral honors duty: allowance.'

- '(E) One point for each day on which funeral honors duty is performed for at least two hours under section 12503 of this title or section 115 of title 32, unless the duty is performed while in a status for which credit is provided under another subparagraph of this paragraph.'; and
- (B) by striking ', and (D)' in the last sentence and inserting ', (D), and (E)'.
(2) Section 12733 of such title is amended--
- (A) by redesignating paragraph (4) as paragraph (5); and
(B) by inserting after paragraph (3) the following new paragraph (4):
'(4) One day for each point credited to the person under subparagraph (E) of section 12732(a)(2) of this title.'
- (i) BENEFITS FOR MEMBERS IN FUNERAL HONORS DUTY STATUS- (1) Section 1074a(a) of such title is amended--
- (A) in each of paragraphs (1) and (2)--
- (i) by striking 'or' at the end of subparagraph (A);
(ii) by striking the period at the end of subparagraph (B) and inserting '; or'; and
(iii) by adding at the end the following:
'(C) service on funeral honors duty under section 12503 of this title or section 115 of title 32.';
and
- (B) by adding at the end the following new paragraph:
'(4) Each member of the armed forces who incurs or aggravates an injury, illness, or disease in the line of duty while remaining overnight immediately before serving on funeral honors duty under section 12503 of this title or section 115 of title 32 at or in the vicinity of the place at which the member was to so serve, if the place is outside reasonable commuting distance from the member's residence.'
- (2) Section 1076(a)(2) of such title is amended by adding at the end the following new subparagraph:
'(E) A member who died from an injury, illness, or disease incurred or aggravated while the member--
- '(i) was serving on funeral honors duty under section 12503 of this title or section 115 of title 32;
'(ii) was traveling to or from the place at which the member was to so serve; or
'(iii) remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence.'
- (3) Section 1204(2) of such title is amended--
- (A) by striking 'or' at the end of subparagraph (A);
(B) by inserting 'or' after the semicolon at the end of subparagraph (B); and
(C) by adding at the end the following new subparagraph:
'(C) is a result of an injury, illness, or disease incurred or aggravated in line of duty--
- '(i) while the member was serving on funeral honors duty under section 12503 of this title or section 115 of title 32;
'(ii) while the member was traveling to or from the place at which the member was to so serve; or
'(iii) while the member remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence;'
- (4) Paragraph (2) of section 1206 of such title is amended to read as follows:
'(2) the disability is a result of an injury, illness, or disease incurred or aggravated in line of duty--
- '(A) while--
- '(i) performing active duty or inactive-duty training;
'(ii) traveling directly to or from the place at which such duty is performed; or
'(iii) remaining overnight immediately before the commencement of inactive-duty training, or while remaining overnight between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training, if the site is outside reasonable commuting distance of the member's residence; or
- '(B) while the member--
- '(i) was serving on funeral honors duty under section 12503 of this title or section 115 of title 32;
'(ii) was traveling to or from the place at which the member was to so serve; or

Organization



Organization of Service to Veterans



Comparison of MVMCS with other Northern New England Cemeteries

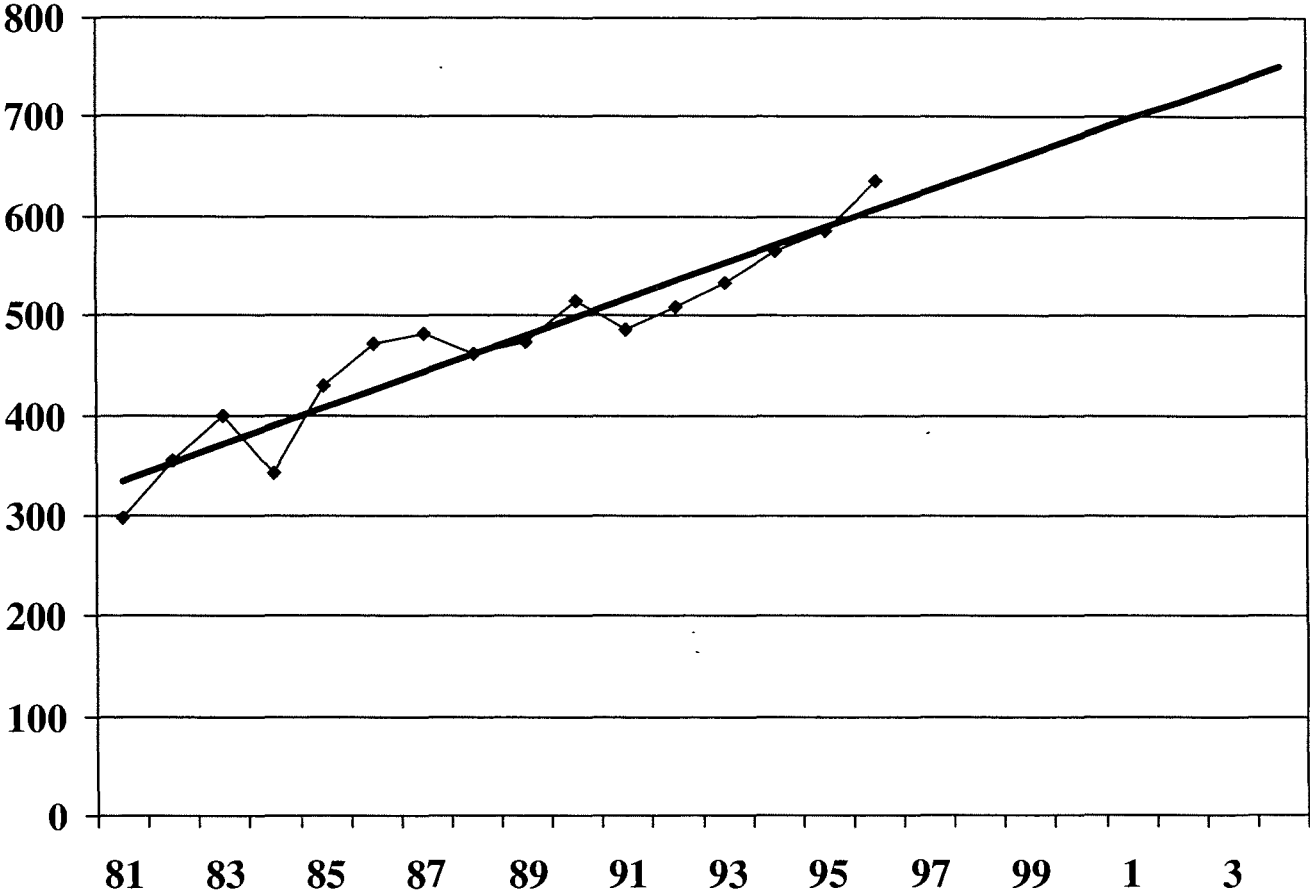
- New Hampshire – 300 burials, 4 personnel, A/O \$263,500
- Rhode Island – 965 burials, 9 personnel, A/O \$500,000
- Vermont – 100 burials, VTI buries, A/O \$750,000
- Massachusetts – 300 burials, 8 personnel, A/O \$750,000
- Average all other (A/O) cost per burial – NH \$873.30, RI \$518.10, VT \$1,320, MA \$2,500, **Maine \$399.40 Lowest in New England**

MVMC Projected Burials

(LD 313 Changes not included - add 25%)

Dotted line are actual figures

Solid line is the projection



**Department of Defense, Veterans and Emergency Management
Maine Veterans' Services**

Field Office Budgets for Fiscal year 2000

Field Office	Travel	Postage	Supplies/ Misc. Exp.	Rent	Telephone	Copier	Internet	Printing	Totals
Bangor	\$1,550.00	\$1,056.00	\$400.00	\$0.00	\$1,200.00	\$900.00	\$120.00	\$64.00	\$5,290.00
Caribou	\$1,000.00	\$252.00	\$400.00	\$0.00	\$1,200.00	\$600.00	\$0.00	\$64.00	\$3,516.00
Lewiston	\$1,950.00	\$400.00	\$400.00	\$0.00	\$1,200.00	\$800.00	\$287.40	\$64.00	\$5,101.40
Machias	\$2,250.00	\$825.00	\$400.00	\$6,679.20	\$1,200.00	\$600.00	\$120.00	\$64.00	\$12,138.20
Portland	\$2,300.00	\$600.00	\$400.00	\$3,899.50	\$1,200.00	\$800.00	\$287.40	\$64.00	\$9,550.90
Springvale	\$1,000.00	\$180.00	\$400.00	\$0.00	\$1,200.00	\$0.00	\$287.40	\$64.00	\$3,131.40
Waterville	\$2,350.00	\$266.00	\$400.00	\$0.00	\$1,200.00	\$900.00	\$120.00	\$64.00	\$5,300.00
Totals	\$12,400.00	\$3,579.00	\$2,800.00	\$10,578.70	\$8,400.00	\$4,600.00	\$1,222.20	\$448.00	\$44,027.90

NOTE:

1. These figures do not include the Togus Claims Office or Central Office.
2. Springvale does not have any clerical support.