



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

---

Legislative Document

No. 1806

---

H.P. 1286

House of Representatives, May 30, 2019

### An Act To Amend the Laws Governing Veterans' Services

(AFTER DEADLINE)

---

Submitted by the Department of Defense, Veterans and Emergency Management and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205. Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative STEWART of Presque Isle.  
Cosponsored by Senator LUCHINI of Hancock and  
Representatives: SCHNECK of Bangor, STROM of Pittsfield, Senator: CYRWAY of  
Kennebec.

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

2 **Sec. 1. 37-B MRSA §501, first ¶**, as amended by PL 2015, c. 465, Pt. A, §2, is  
3 further amended to read:

4 The Maine Bureau of ~~Maine~~ Veterans' Services, referred to in this chapter as the  
5 "bureau," is established and shall provide informational services, program assistance,  
6 memorial facilities and financial aid to veterans in the State and their dependents in order  
7 to ensure that they receive all entitlements due under the law, are relieved to the extent  
8 possible of financial hardship, receive every opportunity for self-improvement through  
9 higher education and are afforded proper recognition for their service and sacrifice to the  
10 Nation. The bureau shall serve as the primary source of information for veterans in the  
11 State regarding all services, benefits and honors administered by the State and, to the  
12 maximum extent possible, services and benefits provided by the United States  
13 Department of Veterans Affairs, veterans' service organizations and other organizations  
14 dedicated to serving veterans.

15 **Sec. 2. 37-B MRSA §504, sub-§3, ¶B**, as amended by PL 1997, c. 455, §22, is  
16 further amended to read:

17 B. The immediate area surrounding the monument must be prepared and reserved as  
18 a suitable place for commemorating Memorial Day and other appropriate  
19 observances. The remaining grounds must be laid out in a ~~wheel-like pattern around~~  
20 ~~the monument~~ manner suitable to the topography of the land, expanding from the  
21 center ~~as required when possible~~. Suitable buildings may be erected for purposes the  
22 director determines necessary.

23 **Sec. 3. 37-B MRSA §504, sub-§3, ¶C**, as repealed and replaced by PL 2007, c.  
24 167, §2, is amended to read:

25 C. All nongreen burial section grave markers must be flat-type granite or 42-inch  
26 upright white marble grave markers as furnished by the United States Department of  
27 Veterans Affairs, National Cemetery Administration. Grave markers for a green  
28 burial section must be granite as furnished by the National Cemetery Administration.  
29 All ~~boxes~~ caskets used for burial in nongreen burial sections must be protected with  
30 permanent vaults. Permanent vaults must be reinforced and properly cured and  
31 match pounds per square inch specifications imposed by the National Cemetery  
32 Administration. Vaults may be either water-resistant or waterproof or have drain  
33 holes in their liner boxes as long as they meet the stated specifications. Headstones  
34 and vaults are not provided at state expense. The process of a burial in a green burial  
35 section may not include the use of embalming fluids and must use a shroud made of  
36 natural biodegradable fabric, and the decedent must be strapped onto a wooden board  
37 of appropriate size or placed in a wicker casket or a wooden casket that has been  
38 assembled with wooden dowels and contains no metal.

39 **Sec. 4. 37-B MRSA §505, sub-§2, ¶A**, as amended by PL 2017, c. 108, §6, is  
40 further amended to read:

1 A. As used in this subsection, unless the context otherwise indicates, the following  
2 terms have the following meanings.

3 (1) "Child" means a natural child whose mother or father is or was a veteran or a  
4 child who was adopted prior to turning 18 years of age and whose adoptive  
5 mother or father is or was a veteran and who:

6 (a) Is at least 16 years of age;

7 (b) Has graduated from high school; and

8 (c) Enrolled in a degree program and was awarded benefits under this  
9 subsection prior to the child's 22nd birthday. If the child is unable to enroll  
10 in a degree program prior to turning 22 years of age due to service in the  
11 United States Armed Forces, then the child may apply to begin this benefit  
12 until reaching 26 years of age. Other requirements must be met as described  
13 in paragraph F.

14 "Child" includes a stepchild whose parent is married to an eligible veteran for at  
15 least 5 years and remains married to the veteran during the period for which  
16 benefits are received.

17 The director may waive the requirements of this subparagraph when the director  
18 determines that there are special and extenuating circumstances that may have a  
19 negative effect on a dependent.

20 (2) "Spouse" means the person currently legally married to a living veteran or  
21 the unremarried widow or widower of a deceased veteran, not previously  
22 divorced from that veteran.

23 Awards under the educational benefits program are authorized to provide benefits  
24 to only one spouse per veteran.

25 (3) "Veteran" means any person who served in the military or naval forces of the  
26 United States and entered the service from this State or has been a resident of this  
27 State for 5 years immediately preceding application for aid and, if living,  
28 continues to reside in this State throughout the duration of benefits administered  
29 under the educational benefits program and who:

30 (a) Has a total permanent disability resulting from a service-connected  
31 disability as a result of service;

32 (b) Was killed in action;

33 (c) Died from a service-connected disability as a result of service;

34 (d) At the time of death was totally and permanently disabled due to service-  
35 connected disability, but whose death was not related to the service-  
36 connected disability; or

37 (e) Is a member of the Armed Forces on active duty who has been listed for  
38 more than 90 days as missing in action, captured or forcibly detained or  
39 interned in the line of duty by a foreign government or power.

