

§505. Aid to veterans and their dependents

1. Financial assistance.

[PL 2001, c. 439, Pt. QQ, §1 (RP).]

1-A. Financial assistance.

[PL 2017, c. 419, §5 (RP).]

1-B. Veterans Temporary Assistance Fund. The Veterans Temporary Assistance Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue Funds account in the bureau. The fund is administered and used by the director for the purposes of offering financial assistance to veterans as prescribed by subsection 1-C.

[PL 2017, c. 419, §6 (NEW).]

1-C. Financial assistance. The following provisions apply to grants of temporary financial assistance to veterans.

A. The bureau may provide a grant of temporary assistance not to exceed \$2,000 to a veteran currently a resident of this State who has filed a valid claim for a veteran's pension, pending notification of the award of such a pension. For purposes of this paragraph, "claim for a veteran's pension" means a claim filed with the United States Department of Veterans Affairs pursuant to 38 United States Code, Chapter 15. [PL 2017, c. 419, §6 (NEW).]

B. The bureau may provide a grant of temporary assistance not to exceed \$2,000 to a veteran currently a resident of this State who demonstrates to the bureau's satisfaction a financial need and suffers an emergency, including but not limited to:

- (1) Damage to that veteran's home due to fire, flood or hurricane that is not fully compensable by insurance;
- (2) Illness or the illness of an immediate family member; or
- (3) Hardship that would result in the veteran becoming homeless. [PL 2017, c. 419, §6 (NEW).]

C. A veteran who requests temporary assistance under this subsection and is denied such assistance by the bureau may request a reconsideration and review of this decision. Requests for reconsideration of a claim must be reviewed by the director and the commissioner or the commissioner's designee, and the decision after the reconsideration is final and may not be appealed to a court. [PL 2017, c. 419, §6 (NEW).]

D. The bureau may contract with an organization incorporated in the State as a nonprofit corporation in accordance with Title 13-B or an organization with tax-exempt status under 26 United States Code, Section 501(c) for the purpose of providing temporary financial assistance to veterans as described in this subsection. A contract authorized under this subsection may provide only for the distribution of direct temporary financial assistance to veterans and may not provide for compensation for personnel costs of the organization, funding of positions of employment within the organization or administrative costs of the organization except those directly related to the distribution of temporary financial assistance grants to veterans. [PL 2017, c. 419, §6 (NEW).]

E. The department may adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2017, c. 419, §6 (NEW).]

F. For the purposes of this subsection, "veteran" means any person who:

- (1) Served in the active United States Armed Forces and who, if discharged, received an honorable discharge or a general discharge under honorable conditions, as long as the discharge was not upgraded through a program of general amnesty;
 - (2) Served in the Reserve Components of the United States Armed Forces and who is entitled to retired pay under 10 United States Code, chapter 1223 or would be entitled to retired pay under chapter 1223 except that the person is under 60 years of age;
 - (3) Served in the United States Armed Forces and, although the person does not meet the requirements of subparagraph (1) or (2), is determined by the director, on a case-by-case basis, to be eligible for temporary financial assistance; or
 - (4) Served in the Maine National Guard and is determined by the director, on a case-by-case basis, to be eligible for temporary financial assistance. [PL 2019, c. 601, §2 (NEW).]
- [PL 2019, c. 601, §2 (AMD).]

2. Educational benefits. Educational benefits are granted as follows.

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

- (1) "Child" means a natural child whose mother or father is or was a veteran or a child who was adopted prior to turning 18 years of age and whose adoptive mother or father is or was a veteran and who:
 - (a) Is at least 16 years of age;
 - (b) Has graduated from high school; and
 - (c) Enrolled in a degree program and was awarded benefits under this subsection prior to the child's 22nd birthday. If the child is unable to enroll in a degree program prior to turning 22 years of age due to service in the United States Armed Forces, then the child may apply to begin this benefit until reaching 26 years of age. Other requirements must be met as described in paragraph F.

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

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

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

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

- (3) "Veteran" means any person who served in the military or naval forces of the United States and entered the service from this State or has been a resident of this State for 5 years immediately preceding application for aid and, if living, continues to reside in this State throughout the duration of benefits administered under the educational benefits program and who:
 - (a) Has a total permanent disability resulting from a service-connected disability as a result of service;
 - (b) Was killed in action;
 - (c) Died from a service-connected disability as a result of service;

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

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

The continuous residency requirement of this subparagraph does not apply to a person who is receiving educational benefits under this chapter on or before January 1, 2006. [PL 2019, c. 377, §4 (AMD).]

B. [PL 2001, c. 662, §66 (RP).]

C. [PL 2001, c. 662, §66 (RP).]

D. [PL 2001, c. 662, §66 (RP).]

E. Spouses of veterans who are attending state-supported postsecondary vocational schools or institutions of collegiate grade must be admitted free of tuition including mandatory fees and lab fees for a certificate program or an associate's, bachelor's or master's degree program. Room and board may not be waived. Spouses are entitled to receive up to 120 credit hours of educational benefits and have 10 years from the date of first entrance to complete the program. This paragraph applies to all spouses enrolled in the educational benefits program as of September 1, 2007. [PL 2007, c. 521, §4 (AMD); PL 2007, c. 521, §6 (AFF).]

F. A child of a veteran who is attending state-supported postsecondary vocational schools or institutions of collegiate grade must be admitted free of tuition including mandatory fees and lab fees for certificate programs, associate degree programs and bachelor's degree programs. The tuition waiver provided under this paragraph may not exceed the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono and may be reduced by an amount necessary to ensure that the value of this waiver, combined with all other grants and benefits received by the student, does not exceed the total cost of education. Room and board may not be waived. A child of a veteran has 10 academic years from the date of first entrance to complete 120 credit hours. For degree programs that require more than 120 credit hours, the state-supported postsecondary vocational school or institution of collegiate grade may grant a tuition waiver beyond 120 credit hours. If such a waiver is granted, the state-supported postsecondary vocational school or institution of collegiate grade shall notify the director. The director may waive the limit of 10 consecutive academic years when the recipient's education has been interrupted by severe medical disability, learning disability, illness or other hardship, making continued attendance impossible. Students must maintain at least a 2.0 or "C" grade point average to continue receiving educational benefits. If a student's grade point average falls below 2.0 or a "C," then the student has one semester to bring the grade point average up to at least 2.0 or a "C." If after that semester the student's grade point average is below 2.0 or a "C," the student loses educational benefits under this paragraph until the student achieves a grade point average of at least 2.0 or a "C." [PL 2019, c. 377, §5 (AMD).]

G. In order to be eligible for benefits under this subsection, a student must apply for a Federal Pell Grant under 20 United States Code, Section 1070a. The director shall estimate the number of students anticipated that will use this program and provide the estimate to state institutions upon request. [PL 2013, c. 237, §1 (AMD).]

H. A school that provides tuition assistance pursuant to this subsection shall provide any information, such as enrollment verification, current contact information, semester grade point average, accumulated credit hours and transcripts, to the bureau as necessary for the bureau to properly administer the educational benefits described in this subsection in accordance with current laws. [PL 2009, c. 406, §10 (NEW).]

[PL 2019, c. 377, §§4, 5 (AMD).]

3. Fraud. Whoever knowingly makes a false statement, oral or written, relating to a material fact in support of application for aid under this section is guilty of a violation of Title 17-A, section 353.

[PL 1983, c. 460, §3 (NEW).]

4. Vietnam and atomic veterans.

[PL 2001, c. 662, §67 (RP).]

5. Public assistance designation. Assistance granted to veterans or their dependents pursuant to this section is designated public assistance. The department retains administrative responsibility for assistance granted under this section.

[PL 2007, c. 539, Pt. N, §73 (AMD).]

6. Determination of residency. The bureau shall verify that a person seeking benefits as provided by this section is a current resident of the State. The forms of identification sufficient to determine residency in accordance with this section are:

A. A valid state driver's license; [PL 2007, c. 521, §5 (NEW).]

B. A valid state-issued identification card; [PL 2007, c. 521, §5 (NEW).]

C. A current state motor vehicle registration form; [PL 2007, c. 521, §5 (NEW).]

D. A current state fishing or hunting license; and [PL 2007, c. 521, §5 (NEW).]

E. Items other than those listed in paragraphs A to D that allow the bureau to reasonably determine residency. [PL 2007, c. 521, §5 (NEW).]

[PL 2007, c. 521, §5 (NEW).]

SECTION HISTORY

PL 1983, c. 460, §3 (NEW). PL 1989, c. 502, §A140 (AMD). PL 1989, c. 547, §2 (AMD). PL 1991, c. 555, §1 (AMD). PL 1991, c. 626, §§16-18 (AMD). PL 1993, c. 273, §2 (AMD). PL 1993, c. 427, §9 (AMD). PL 1993, c. 694, §8 (AMD). PL 1997, c. 455, §§25-27 (AMD). PL 2001, c. 439, §§QQ1,2,UU2 (AMD). PL 2001, c. 662, §§66,67 (AMD). PL 2005, c. 273, §2 (AMD). PL 2007, c. 167, §§6-8 (AMD). PL 2007, c. 521, §§2-5 (AMD). PL 2007, c. 521, §6 (AMD). PL 2007, c. 539, Pt. N, §73 (AMD). PL 2007, c. 678, §1 (AMD). PL 2009, c. 406, §10 (AMD). PL 2009, c. 415, Pt. A, §§24, 25 (AMD). PL 2013, c. 237, §1 (AMD). PL 2013, c. 365, §1 (AMD). PL 2013, c. 569, §3 (AMD). PL 2017, c. 108, §6 (AMD). PL 2017, c. 419, §§5, 6 (AMD). PL 2019, c. 377, §§4, 5 (AMD). PL 2019, c. 601, §2 (AMD).

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