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Date: (Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 455, L.D. 619, “An Act To Allow Christine Pratt To Be Buried at the Southern Maine Veterans Cemetery”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Eligibility for Burial in the Maine Veterans' Memorial Cemetery System'

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Honorable John L. Tuttle, Jr., served for 10 years as a member of the Maine Army National Guard and for nearly 30 years in both the Senate and House of Representatives in the Maine State Legislature; and

Whereas, the Honorable John L. Tuttle, Jr., passed away on January 27, 2022 while serving his 12th term in the House of Representatives; and

Whereas, there is pending federal legislation that will allow states to determine eligibility criteria for burial in state veterans' cemeteries of those who died while a member or former member of the military forces identified in this legislation; and

Whereas, the Legislature wishes to honor the services of the Honorable John L. Tuttle, Jr., by allowing his burial in the Maine Veterans' Memorial Cemetery System in accordance with the pending federal legislation; 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,'

Amend the bill by striking out everything after the enacting clause and inserting the following:

COMMITTEE AMENDMENT

1 **'Sec. 1. 37-B MRSA §504, sub-§4, ¶B-1** is enacted to read:

2 B-1. The director may allow the earth burial in one of the cemeteries of a person, and
3 any spouse or minor child of that person, who meets the criteria established by the
4 department by rule and who died while:

5 (1) A member or former member of the National Guard;

6 (2) A member or former member of the state military forces or the Reserve
7 Components of the United States Armed Forces; or

8 (3) A member of a reserve officer training corps of the United States Armed Forces.

9 The department shall adopt rules necessary to implement this paragraph, including
10 rules governing the eligibility for burial in the cemeteries. In establishing criteria for
11 the burial of a person under this paragraph, the department shall ensure that such
12 criteria comply with any applicable state or federal requirements. Rules adopted
13 pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375,
14 subchapter 2-A.'

15 Amend the bill by adding before the summary the following:

16 **'Emergency clause.** In view of the emergency cited in the preamble, this legislation
17 takes effect when approved.'

18 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
19 number to read consecutively.

20 **SUMMARY**

21 This amendment strikes and replaces the bill and provides the Director of the Maine
22 Bureau of Veterans' Services with the authority to allow burial in the Maine Veterans'
23 Memorial Cemetery System of the remains of a person, such as the Honorable John L.
24 Tuttle, Jr., who passed away on January 27, 2022, and any spouse or minor child of that
25 person, who died while a member or former member of the National Guard; a member or
26 former member of the state military forces or the Reserve Components of the United States
27 Armed Forces; or a member of a reserve officer training corps of the United States Armed
28 Forces.

29 **FISCAL NOTE REQUIRED**

30 **(See attached)**