

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by striking out everything after the first occurrence of "Amend the bill" and inserting the following:

'by striking out the title and substituting the following:

**'An Act To Improve the Delivery of Services and
Benefits to Maine's Veterans and Provide Tuition
Assistance to Members of the Maine National Guard'**

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

PART A

Sec. A-1. 37-B MRSA §3, sub-§1, ¶D, as amended by PL 2013, c. 469, §1 and c. 569, §2, is further amended to read:

D. Have the following powers and duties.

- (1) The Adjutant General shall administer the department subordinate only to the Governor.
- (2) The Adjutant General shall establish methods of administration consistent with the law necessary for the efficient operation of the department.
- (3) The Adjutant General may prepare a budget for the department.
- (4) The Adjutant General may transfer personnel from one bureau to another within the department.
- (5) The Adjutant General shall supervise the preparation of all state informational reports required by the federal military establishment.
- (6) The Adjutant General shall keep an accurate account of expenses incurred and, in accordance with Title 5, sections 43 to 46, make a full report to the Governor as to the condition of the military forces, and as to all business transactions of the Military Bureau, including detailed statements of expenditures for military purposes.

(7) The Adjutant General is responsible for the custody, care and repair of all military property belonging to or issued to the State for the military forces and shall dispose of military property belonging to the State that is unserviceable. The Adjutant General shall account for and deposit the proceeds from that disposal with the Treasurer of State, who shall credit them to the Capital Repair, Maintenance, Construction and Acquisition Account of the Military Bureau.

(8) The Adjutant General may sell for cash to officers of the state military forces, for their official use, and to organizations of the state military forces, any military or naval property that is the property of the State. The Adjutant General shall, with an annual report, render to the Governor an accurate account of the sales and deposit the proceeds of the sales with the Treasurer of State, who shall credit them to the General Fund.

(9) The Adjutant General shall represent the state military forces for the purpose of establishing the relationship between the federal military establishment and the various state military staff departments.

(10) The Adjutant General shall accept, receive and administer federal funds for and on behalf of the State that are available for military purposes or that would further the intent and specific purposes of this chapter and chapter 3. The Adjutant General shall provide the personnel, supplies, services and matching funds required by a federal cost-sharing arrangement pursuant to 31 United States Code, Chapters 63 and 65 (2013); 32 United States Code (2013); and National Guard Regulation 5-1 (2010). The Adjutant General shall receive funds and property and an accounting for all expenditures and property acquired through such a federal cost-sharing arrangement and make returns and reports concerning those expenditures and that property as required by such a federal cost-sharing arrangement.

(11) The Adjutant General shall acquire, construct, operate and maintain military facilities necessary to comply with this Title and Title 32 of the United States Code and shall operate and maintain facilities now within or hereafter coming within the jurisdiction of the Military Bureau.

(12) The Adjutant General may adopt rules pertaining to compliance with state and federal contracting requirements, subject to Title 5, chapter 375. Those rules must provide for approval of contracts by the appropriate state agency.

(13) The Adjutant General shall allocate and supervise any funds made available by the Legislature to the Civil Air Patrol.

(14) The Adjutant General shall report at the beginning of each biennium to the joint standing committee of the Legislature having jurisdiction over veterans' affairs on any recommended changes or modifications to the laws governing veterans' affairs, particularly as those changes or modifications relate to changes in federal veterans' laws. The report must include information on the status of communications with the United States Department of Veterans Affairs regarding the potential health risks to and the potential disabilities of veterans who as members of the Maine National Guard were exposed to environmental hazards at the Canadian military support base in Gagetown, New Brunswick, Canada.

(15) The Adjutant General may receive personal property from the United States Department of Defense that the Secretary of Defense has determined is suitable for use by agencies in law enforcement activities, including counter-drug activities, and in excess of the needs of the Department of Defense pursuant to 10 United States Code, Section 2576a, and transfer ownership of that personal property to state, county and municipal law enforcement agencies notwithstanding any other provision of law. The Adjutant General may receive excess personal property from the United States Department of Defense for use by the department, notwithstanding any other provision of law.

(16) The Adjutant General may establish a science, mathematics and technology education improvement program for schoolchildren known as the STARBASE Program. The Adjutant General may accept financial assistance and in-kind assistance, advances, grants, gifts, contributions and other forms of financial assistance from the Federal Government or other public body or from other sources, public or private, to implement the STARBASE Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the STARBASE Program.

(17) The Adjutant General shall establish a system, to be administered by the Director of the Bureau of Maine Veterans' Services, to express formally condolence and appreciation to the closest surviving family members of members of the United States Armed Forces who, since September 11, 2001, are killed in action or die as a consequence of injuries that result in the award of a Purple Heart medal. In accordance with the existing criteria of the department for the awarding of gold star medals, this system must provide for the Adjutant General to issue up to 3 gold star medals to family members who reside in the State, one to the spouse of the deceased service member and one to the parents of the service member. If the parents of the service member are divorced, the Adjutant General may issue one medal to each parent. If the service member has no surviving spouse or parents or if they live outside of the State, the Adjutant General may issue a gold star medal to the service member's next of kin, as reported to the department, who resides in the State.

(18) The Adjutant General may establish a National Guard Youth Challenge Program consistent with 32 United States Code, Section 509 (1990). The Adjutant General may accept financial assistance from the Federal Government or other public body or from other sources, public and private, to implement the National Guard Youth Challenge Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the program.

(19) The Adjutant General may execute cooperative agreements for purposes described or defined by this Title and other arrangements necessary to operate the department.

(20) The Adjutant General shall act as the Governor's homeland security advisor.

(21) The Adjutant General shall implement a program to identify residents of the State who are not considered veterans but are military retirees or former members of the Maine Army National Guard or Maine Air National Guard who successfully completed service.

Sec. A-2. 37-B MRSA §501, first ¶, as amended by PL 1997, c. 455, §17, is further amended to read:

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

Sec. A-3. 37-B MRSA §503, sub-§§7 and 8 are enacted to read:

7. Marketing and outreach program. The director shall implement, as a core function of the bureau, a marketing and outreach program to increase, to the greatest extent practicable, awareness of services and benefits available to veterans and family members of veterans and to encourage veterans to seek the benefits and services to which they are entitled. The director is authorized to employ personnel dedicated to the marketing and outreach program objectives described in this subsection. The director is authorized to enter into memoranda of understanding with other state agencies to allow for the sharing of information to achieve the objectives of the program. Upon request of the director, agencies required to enter into memoranda of understanding with the director include, but are not limited to, the Bureau of Motor Vehicles under the Department of the Secretary of State, the Bureau of Parks and Lands under the Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife, the Department of Health and Human Services, the University of Maine System and the Maine Community College System. The marketing and outreach program objectives must include, but are not limited to:

- A. Identifying residents of the State who are veterans;
- B. Increasing awareness of the bureau for veterans and family members of veterans;
- C. Implementing media and technology to encourage veterans to self-identify to the bureau and communicating to veterans and family members of veterans about the services and benefits available to them;
- D. Attendance by bureau personnel at events organized for and by veterans that, as determined by the director, facilitate the objectives of this subsection; and
- E. Establishing benchmarks to measure the effectiveness of marketing and outreach efforts.

The program objectives listed in this subsection may also be used to assist the commissioner to identify residents of this State who are military retirees or former members of the Army National Guard or Air National Guard who completed service requirements but never served on active duty pursuant to section 3, subsection 1, paragraph D, subparagraph (21).

8. Records management system. The director shall acquire and maintain an electronic database with secured remote access capabilities to facilitate management of records of veterans, spouses of veterans and veterans' dependents served by the bureau. When selecting a records management system, the director shall ensure that, at a minimum, the system supports the bureau in meeting the following objectives:

- A. Reducing reliance on paper records;
- B. Allowing for immediate access by authorized users to update records;
- C. Displaying a complete record of assistance provided by the bureau to veterans and veterans' family members; and
- D. Providing efficient and timely customer service to veterans seeking assistance from the bureau.

Sec. A-4. 37-B MRSA §503-B is enacted to read:

§ 503-B. Bureau of Maine Veterans' Services Special Operations Fund

The Bureau of Maine Veterans' Services Special Operations Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing account that must be used exclusively for the purposes listed in this section. The fund may not be used for the general administrative costs or general operating expenses of the bureau. The fund must be used to support the following initiatives.

1. Reducing homelessness among veterans. The bureau shall use the fund for efforts by the bureau to address homelessness among veterans, including, but not limited to, funding the costs of a veteran service officer who is specifically assigned the duties of addressing veteran homelessness and

the costs incurred by the bureau by the requirement that the director or the director's designee serve on the Statewide Homeless Council under Title 30-A, chapter 202, subchapter 5-A and the responsibilities associated with that membership.

2. Mobile veteran service officers. The bureau shall use the fund to fund the costs of employment of 2 veteran service officers who are not assigned to a specific region or office but who are directed to work in parts of the State or on issues for which there is the greatest need among veterans as determined by the director.

3. Records management system. The bureau shall use the fund to pay for the costs of the acquisition and ongoing maintenance of an electronic records management system as required by section 503, subsection 8.

4. Marketing and outreach. The bureau shall use the fund to fund the costs of meeting the objectives described by section 503, subsection 7 for a marketing and outreach program to increase awareness of services and benefits available to veterans and their family members, including the costs of employing a dedicated, full-time outreach coordinator. The director shall dedicate no less than 20% of the money in the fund toward marketing and outreach, including contracting for the professional services of a marketing firm to facilitate meeting the objectives described in section 503, subsection 7.

Sec. A-5. Director of the Bureau of Maine Veterans' Services to establish mobile Veteran Service Officer positions. No later than October 15, 2016, the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall establish 2 additional Veteran Service Officer positions within the bureau. The positions may not be assigned exclusively to a particular region or office within the State but must be used to assist veterans in the State where the demand for services is greatest, as determined by the director.

PART B

Sec. B-1. 30-A MRSA §5047, sub-§1, as amended by PL 2007, c. 600, §2, is further amended to read:

1. Membership; chair. The council consists of ~~13~~14 members appointed as follows:

A. Six members appointed by the Governor, 2 from each of 3 regional homeless councils, based on nominations provided by the 3 regional homeless councils;

B. The Director of the Maine State Housing Authority;

C. Three members appointed jointly by the President of the Senate and the Speaker of the House, one from each of 3 regional homeless councils, based on nominations provided by the 3 regional homeless councils;

D. One member representing the Office of the Governor, who serves as the chair;

E. The Commissioner of Health and Human Services or the commissioner's designee; ~~and~~

F. The Commissioner of Corrections or the commissioner's designee; and

G. The Director of the Bureau of Maine Veterans' Services or the director's designee.

Sec. B-2. 30-A MRSA §5048, sub-§7, as amended by PL 2007, c. 600, §4, is further amended to read:

7. Review, monitor and implement plans. On an annual basis, review and comment on plans submitted pursuant to Title 34-B, section 1221 and propose amendments and updates to and implement a plan to end homelessness; and

Sec. B-3. 30-A MRSA §5048, sub-§8, as enacted by PL 2007, c. 600, §5, is amended to read:

8. Advise departments. Advise the Department of Corrections and the Department of Health and Human Services on issues related to homelessness and other issues related to the duties of the council; and

Sec. B-4. 30-A MRSA §5048, sub-§9 is enacted to read:

9. Develop strategic plan regarding homelessness among veterans. Develop strategies to enhance coordination and communication among agencies and organizations that provide services that seek to place veterans in permanent housing and that seek to improve access to services known to support housing stability for veterans who are experiencing homelessness or veterans who are at risk of homelessness. The council shall develop and periodically review a strategic plan that:

A. Establishes a baseline for homelessness in the State from which improvements can be measured. In determining the baseline, the council is not required to use the federal definition of homelessness and may include levels of housing instability or ranges of homelessness;

B. Develops a method of measuring homelessness among veterans in the State to demonstrate whether efforts to reduce the number of homeless veterans in the State have been successful;

C. Identifies specific processes for improving communication among agencies that provide services to veterans, including services unrelated to homelessness, that will facilitate identification of veterans in need of housing assistance or veterans who may be at risk of homelessness and maximize resources available to address homelessness among veterans; and

D. Develops a framework and timeline for determining progress of communication and coordination efforts targeting homelessness among veterans and the effectiveness of those efforts in reducing homelessness among veterans.

The Director of the Bureau of Maine Veterans' Services shall periodically report to the council regarding the progress of implementing the strategies described in this subsection. Beginning February 1, 2018, the director shall report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs on the implementation of the strategic plan. The report must include, but is not limited to, the effect of the strategic plan on homelessness among veterans based on the measurements required to be established by this subsection.

Sec. B-5. Development of initial strategic plan. By February 15, 2017, the Statewide Homeless Council, established in the Maine Revised Statutes, Title 30-A, chapter 202, subchapter 5-A, shall develop an initial strategic plan pursuant to Title 30-A, section 5048, subsection 9.

Sec. B-6. Report to Legislature. By March 1, 2017, the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall present the strategic plan developed pursuant to the Maine Revised Statutes, Title 30-A, section 5048, subsection 9, including a description of the process used to develop it, to the joint standing committee of the Legislature having jurisdiction over veterans affairs.

Sec. B-7. Director of the Bureau of Maine Veterans' Services to establish Veteran Service Officer position. No later than February 1, 2017, the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall establish one additional Veteran Service Officer position within the bureau. Duties must include coordination of efforts to address homelessness among veterans in the State.

PART C

Sec. C-1. 36 MRSA §1760, sub-§100 is enacted to read:

100. Certain veterans' service organizations. Sales to an organization that provides services to veterans and their families that is chartered under 36 United States Code, Subtitle II, Part B, including posts or local offices of that organization, and that is recognized as a veterans' service organization by the United States Department of Veterans Affairs.

Sec. C-2. Effective date. This Part takes effect August 1, 2016.

PART D

Sec. D-1. 30-A MRSA §6054, sub-§§3 to 5, as enacted by PL 2013, c. 269, Pt. B, §2, are amended to read:

3. Use of fund during bond retirement period; fiscal years before July 1, 2017.

Money in the fund must be held and applied solely to the payment of the liquor operation revenue bonds and any ancillary obligations secured by the fund as the bonds and ancillary obligations become due and payable and for the retirement of liquor operation revenue bonds, including costs of administering the fund, the bonds and the ancillary obligations and the payment of any redemption premium required to be paid when any liquor operation revenue bonds are redeemed or retired before maturity or for the payment of ancillary obligations; except that, to the extent there is money in the fund not needed in accordance with terms of the liquor operation revenue bonds and ancillary obligations, before June 30th of each year, the bond bank shall withdraw an amount not exceeding \$16,714,844 in the fiscal year ending June 30, 2015, \$16,639,000 in the fiscal year ending June 30, 2016 and ~~\$16,817,000~~\$18,045,720 in the fiscal year ending June 30, 2017 to be paid to the State and distributed in the manner and priority as follows:

A. First, to the General Fund as undedicated revenue up to \$9,714,884 in the fiscal year ending June 30, 2015, \$9,639,000 in the fiscal year ending June 30, 2016 and ~~\$9,817,000~~\$9,897,546 in the fiscal year ending June 30, 2017;

A-1. Second, to the Bureau of Maine Veterans' Services Special Operations Fund established under Title 37-B, section 503-B in the fiscal year ending June 30, 2017, \$548,174. Distributions required by this paragraph must be made before October 1, 2016;

A-2. Third, to the Maine National Guard Postsecondary Fund established under Title 37-B, section 353-A for tuition assistance for Maine National Guard members in the fiscal year ending June 30, 2017, \$600,000. Distributions required by this paragraph must be made before October 1, 2016;

B. ~~Second~~Fourth, the remainder, if any, in each fiscal year divided in equal amounts to an account within the Department of Health and Human Services and an account within the Department of Environmental Protection, up to \$3,500,000 per account or the maximum amount allowed for federal matching funds purposes under federal water programs, whichever is less, to be used for revolving loan funds for drinking water systems and wastewater treatment; and

C. ~~Third~~Fifth, the remainder, if any, to an account within the Department of Transportation to be used for the construction of highways and bridges.

4. Use of fund during bond retirement period; from July 1, 2017 until bonds retired. Money in the fund must be held and applied solely to the payment of the liquor operation revenue bonds and any ancillary obligations secured by the fund as the bonds and ancillary obligations become due and payable and for the retirement of liquor operation revenue bonds, including costs of administering the fund, the bonds and the ancillary obligations and the payment of any redemption premium required to be paid when any liquor operation revenue bonds are redeemed or retired before maturity or for the payment of ancillary obligations; except that, to the extent there is money in the fund not needed in accordance with terms of the liquor operation revenue bonds and ancillary obligations, before June 30th of each year, the bond bank shall withdraw an amount not exceeding ~~\$7,000,000~~\$8,148,174 to be paid to the State and distributed in the manner and priority as follows:

A. First, an amount not exceeding \$7,000,000 distributed in equal amounts to an account within the Department of Health and Human Services and an account within the Department of Environmental Protection, up to \$3,500,000 per account or the maximum amount allowed for federal matching funds purposes under federal water programs, whichever is less, to be used for revolving loan funds for drinking water systems and wastewater treatment; and

A-1. Second, \$548,174 to the Bureau of Maine Veterans' Services Special Operations Fund established under Title 37-B, section 503-B;

A-2. Third, \$600,000 to the Maine National Guard Postsecondary Fund established under Title 37-B, section 353-A for tuition assistance for Maine National Guard members; and

B. The remainder, if any, to an account within the Department of Transportation to be used for the construction of highways and bridges.

Immediately upon retirement of all outstanding liquor operation revenue bonds and ancillary obligations secured by the fund, the bond bank shall withdraw any excess money in the fund and transfer it to the Maine Budget Stabilization Fund established in Title 5, section 1532.

5. Use of fund after bond retirement. After all liquor operation revenue bonds and any ancillary obligations secured by the fund have been retired, additional proceeds credited to the fund from Title 22-A, section 216 and Title 28-A, section 90 must be disbursed on a quarterly basis to the State, after payment of costs of administering the fund, and credited by the State Controller as follows:

A. The lesser of 15% and the maximum amount allowed for federal matching funds purposes under federal water programs, divided equally between an account within the Department of Health and Human Services and an account within the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment;

A-1. Five hundred forty-eight thousand one hundred seventy-four dollars to the Bureau of Maine Veterans' Services Special Operations Fund established under Title 37-B, section 503-B;

A-2. Six hundred thousand dollars to the Maine National Guard Postsecondary Fund established under Title 37-B, section 353-A for tuition assistance for Maine National Guard members;

B. Thirty-five percent of the remainder, if any, to an account within the Department of Transportation for construction of highways and bridges; and

C. The remainder to the Maine Budget Stabilization Fund established in section 1532.

PART E

Sec. E-1. 37-B MRSA §152, sub-§2, as amended by PL 2003, c. 488, §1 and affected by §5, is further amended to read:

2. Rental proceeds. Except as provided in section ~~353353-A~~, rental proceeds from the rental of armories under this section must be paid into the State Treasury and credited to the Armory Rental Fund to be used for operation and maintenance expenses at the various state-owned facilities of the Military Bureau. Rental proceeds credited to the Armory Rental Fund are in addition to the appropriations made for operation and maintenance expenses included for that purpose in the Military Fund.

Sec. E-2. 37-B MRSA §154, as amended by PL 2013, c. 469, §2, is further amended to read:

§ 154. Capital Repair, Maintenance, Construction and Acquisition Account

Except as provided in section ~~353353-A~~, the Capital Repair, Maintenance, Construction and Acquisition Account is established in the Military Bureau as a nonlapsing fund to assist in defraying the capital repair, maintenance and construction of state-owned properties of the Military Bureau, as well as purchasing land for training sites. The bureau may not spend \$500,000 or more for any single capital repair, maintenance or construction project or land acquisition unless that expenditure is approved

in advance by the Legislature. Not later than January 1st of each odd-numbered year, the bureau shall submit a list to the Legislature that identifies the location, nature and cost of each planned capital repair, maintenance and construction project and land acquisition costing less than \$500,000.

Sec. E-3. 37-B MRSA §155, as amended by PL 2003, c. 488, §3 and affected by §5, is further amended to read:

§ 155.Reimbursement fund

The Maine National Guard may provide services in accordance with section 181-A, subsections 4 and 5 and section 183 for federal, state, county, regional and municipal governments and agencies and nongovernmental entities and may charge for those services. Except as provided in section ~~353~~353-A, the fees collected must first be allocated for funding the cost of providing those services, and any remaining fees may be expended only within the Military Bureau.

Sec. E-4. 37-B MRSA §352, sub-§§4 to 7, as enacted by PL 2003, c. 488, §4 and affected by §5, are amended to read:

4. State postsecondary education institution. "State postsecondary education institution" means the University of Maine System, the Maine Maritime Academy, the Maine ~~Technical~~Community College System or any other college or university system established as a public instrumentality of this State.

5. Tuition. "Tuition" means the total semester, trimester, quarter or term or credit hour cost of instruction to the student as periodically published in the catalog of a state postsecondary education institution, ~~including mandatory fees and lab fees but excluding all mandatory fees and lab fees and~~ other expenses such as book charges, room and board.

6. Tuition benefit. "Tuition benefit" means tuition provided by the Maine National Guard using either state or federal funds or waivers of tuition from a state postsecondary education institution.

7. Unsatisfactory participant. "Unsatisfactory participant" means a member who has accumulated 9 or more unexcused absences from unit training assemblies or who within a 12-month period, without proper authorization, fails to attend or complete the entire period of annual training.

Sec. E-5. 37-B MRSA §353, as amended by PL 2013, c. 469, §5, is repealed.

Sec. E-6. 37-B MRSA §§353-A, 353-B and 353-C are enacted to read:

§ 353-A. Maine National Guard Postsecondary Fund

The Maine National Guard Postsecondary Fund, referred to in this section as "the fund," is established in the Military Bureau as a nonlapsing account in the General Fund to provide tuition benefits for eligible Maine National Guard members to state postsecondary education institutions. Deposits to the fund may come from sources including but not limited to: the Armory Rental Fund established in section 152; the Capital Repair, Maintenance, Construction and Acquisition Account established in section 154; the reimbursement fund established in section 155; revenue generated from the Maine Military Authority; and rental income fees under Title 5, section 1742, subsection 26, paragraph B. The Adjutant General is

responsible for oversight and allocation of these funds in accordance with this subchapter. The Adjutant General shall provide a report to the Commissioner of Education on the first day of January each calendar year accounting for the use of all funds in the fund.

§ 353-B. Tuition benefit for member

A member who meets the prerequisites of section 354 is entitled to a 100% tuition benefit at a state postsecondary education institution. The benefit applies to tuition for a member enrolled or accepted for admission to a state postsecondary education institution on a full-time or part-time basis. To be eligible for the benefit, a member must be enrolled full-time or part-time at a state postsecondary education institution. The benefit may be used to earn one credential at the following levels: baccalaureate, associate or certificate and licensure. The benefit must be reduced by any other tuition assistance received by a member not related to housing costs or non-tuition expenses.

§ 353-C. Waiver required

If the cost of providing the tuition benefit under this subchapter exceeds the amount of money available in the Maine National Guard Postsecondary Fund established in section 353-A, the tuition benefit must be provided in the form of a tuition waiver provided by the state postsecondary education institution.

Sec. E-7. 37-B MRSA §354, sub-§§2 and 3, as enacted by PL 2003, c. 488, §4 and affected by §5, are amended to read:

2. Participant. Be a satisfactory participant in the Maine National Guard who has not previously earned a bachelor's degree or equivalent and be a member in good standing of the Maine National Guard at the beginning of and throughout the entire semester for which the member receives benefits; and

3. Contractual commitment. Enter into a written contractual commitment with the Maine National Guard to serve in the Maine National Guard for at least one year beyond the end of the term for which a tuition benefit is granted; and

Sec. E-8. 37-B MRSA §354, sub-§4 is enacted to read:

4. Pursued all other benefits available. Have applied for all available tuition benefits not related to housing costs or non-tuition expenses, including but not limited to:

- A. Federally funded military tuition assistance;
- B. Employer tuition reimbursements or assistance; and
- C. Federal grants, such as a Federal Pell Grant.

Sec. E-9. 37-B MRSA §355, as enacted by PL 2003, c. 488, §4 and affected by §5, is amended to read:

§ 355.Cessation of tuition benefit

The tuition benefit granted under this subchapter for a member ceases upon:

1. Credit hours. Accumulation of ~~150~~130 credit hours or the equivalent of the tuition benefit as provided in this subchapter when the benefit is used in part or in whole;

2. Unsatisfactory participation. Unsatisfactory participation in the Maine National Guard as certified to the state postsecondary education institution ~~or regionally accredited private college or university~~ by the Adjutant General; ~~or~~

3. Good academic standing. Failure by the member to maintain good academic standing and a cumulative grade point average of at least 2.0 on a 4.0 scale at the state postsecondary education institution ~~or regionally accredited private college or university;~~ or

4. Restitution plan. Imposition of a plan for the member to pay restitution of tuition benefits in accordance with this subchapter.

Sec. E-10. 37-B MRSA §356, sub-§2, as enacted by PL 2003, c. 488, §4 and affected by §5, is amended to read:

2. Repay tuition. If the member becomes an unsatisfactory participant or does not remain in good academic standing with the state postsecondary education institution ~~or regionally accredited private college or university,~~ then the member shall repay the full amount of a tuition benefit for all courses taken during the preceding semester, trimester, quarter or term to the Maine National Guard.

Sec. E-11. 37-B MRSA §356, sub-§4 is enacted to read:

4. Rules. The Adjutant General shall adopt rules to implement the provisions of this section, which are routine technical rules under Title 5, chapter 375, subchapter 2-A.

Sec. E-12. 37-B MRSA §357, as enacted by PL 2003, c. 488, §4 and affected by §5, is repealed and the following enacted in its place:

§ 357. In-state tuition rates

A member who is approved to receive tuition benefits under this subchapter qualifies for in-state tuition rates.

Sec. E-13. 37-B MRSA §358, as enacted by PL 2003, c. 488, §4 and affected by §5, is repealed.

Sec. E-14. 37-B MRSA §§359 and 360 are enacted to read:

§ 359. Mobilized or deployed members

Any member who is a student receiving a tuition benefit under this subchapter who is mobilized or deployed is entitled to an extension of the time the tuition benefit may be claimed equal to the amount of time served on active duty.

§ 360. Policies and implementation

The Adjutant General is responsible for overall policies, guidance, administration and proper use of the program provided for in this subchapter.

PART F

Sec. F-1. Identify potential inefficiencies and propose improvements to veterans' services. The University of Maine System and the Maine Community College System, for their respective campuses and in consultation with the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services, shall each:

1. Identify the needs of student-veterans and potential student-veterans attempting to achieve a postsecondary education to degree completion, including but not limited to their ability to gain admission to the University of Maine System or the Maine Community College System, successfully meet the requirements of a course of study, successfully transition to civilian life in a supportive educational environment, obtain available federal veterans' benefits and successfully meet personal and financial obligations;

2. Identify existing services specifically for student-veterans and other services available to student-veterans on each campus that meet the needs identified in subsection 1;

3. Assess the effectiveness in meeting the needs identified in subsection 1 of existing services specifically for student-veterans and other services available to student-veterans on each campus;

4. Determine what services are not currently being offered that, if offered, would meet the needs identified in subsection 1; and

5. Propose services and solutions that fulfill the needs identified in subsection 1 on each campus or across campuses that are based upon best practices in postsecondary educational institutions within the State and nationwide.

Sec. F-2. Report. By January 15, 2017, the University of Maine System and the Maine Community College System shall each submit a report of its findings and proposals under section 1 to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and veterans and legal affairs. Each joint standing committee is authorized to introduce a bill to the First Regular Session of the 128th Legislature related to the subject matter of the reports.

PART G

Sec. G-1. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Maine National Guard Postsecondary Fund Z190

Initiative: Provides an allocation to increase access to postsecondary education for Maine National Guard members.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$600,000

HP1100, LD 1612, item 5, 127th Maine State Legislature , Amendment
H "B" to C "A", Filing Number H-617, Sponsored by Golden
'An Act To Improve the Delivery of Services and Benefits to Maine's Veterans
and Provide Tuition Assistance to Members of the Maine National Guard'

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$600,000
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Veterans Services 0110

Initiative: Provides an allocation for one Veteran Service Officer position and related costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$81,258
All Other	\$0	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$91,258

Veterans Services 0110

Initiative: Provides an allocation for 2 Veteran Service Officer positions and related costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$162,516
All Other	\$0	\$28,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$190,516

Veterans Services 0110

Initiative: Provides an allocation for the purchase and maintenance of an electronic case management system.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$80,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$80,000

Veterans Services 0110

Initiative: Provides an allocation to implement a marketing and outreach program for veterans.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$186,400
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$186,400

HP1100, LD 1612, item 5, 127th Maine State Legislature , Amendment
H "B" to C "A", Filing Number H-617, Sponsored by Golden
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$186,400
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Veterans Services 0110

Initiative: Establishes headcount for one Veterans Outreach Specialist position.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS POSITIONS - LEGISLATIVE COUNT	0.000	1.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF		
	2015-16	2016-17
DEPARTMENT TOTALS		
OTHER SPECIAL REVENUE FUNDS	\$0	\$1,148,174
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,148,174

SUMMARY

Like the bill, this amendment implements recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans. This amendment also combines proposals from 5 Legislative Documents, L.D. 1343, L.D. 1590, L.D. 1611, L.D. 1612 and L.D. 1625, that improve the delivery of services and benefits to Maine veterans and provide tuition assistance to members of the Maine National Guard.

Part A requires the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to include marketing and outreach objectives as a core function of the bureau. The marketing and outreach objectives are intended to identify residents in the State who are veterans and also to maximize awareness of benefits and services available to veterans and family members of veterans. Part A also directs the bureau to acquire and implement an electronic records management system to create efficiencies and provide timely and effective customer service to veterans seeking assistance from the bureau. The bureau is required to serve as the primary source of information for veterans regarding the services, benefits and honors provided to veterans. Part A requires the director to employ 2 additional veteran service officers who are not assigned to a particular region but who will be directed to where the service needs of veterans are greatest and makes a current temporary position of outreach coordinator permanent. Part A establishes a special operations account from which the director may fund outreach and marketing efforts, acquire the records management system, fund mobile veteran service officers and cover the costs of efforts aimed at reducing veteran homelessness.

Part B proposes changes to current law to address homelessness among veterans by requiring coordination of agencies that provide services to veterans to maximize resources available to support stable, permanent housing for veterans at risk of homelessness. Part B requires that the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management be appointed to an existing entity, the Statewide Homeless Council. Part B requires the Statewide Homeless Council to develop a strategic plan to maximize existing services, enhance communication among providers and improve access to services that support permanent and stable housing for veterans. The director is required to report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs regarding the implementation of the plan and its effect on homelessness among veterans. Part B authorizes the director to employ a veteran service officer whose duties include working on tasks relative to homelessness among veterans.

Part C provides a sales tax exemption to all federally chartered veterans' service organizations, beginning August 1, 2016.

Part D designates revenues from the Liquor Operation Revenue Fund to the Bureau of Maine Veterans' Services Special Operations Fund to fund the costs of marketing and outreach, efforts to address homelessness, the costs of an electronic records management system, positions in the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management tasked with working on homelessness and outreach coordination and 2 mobile veteran service officers. Part D also designates funds from the Liquor Operation Revenue Fund for the tuition waiver program established in Part E of this amendment.

Part E establishes the Maine National Guard Postsecondary Fund to provide for a 100% tuition waiver at any state postsecondary education institution for qualified members of the Maine National Guard.

Part F directs the University of Maine System and the Maine Community College System to identify the needs of student-veterans on their campuses, including needs related to admission, degree completion, transitioning to civilian life and meeting personal and financial obligations, and directs the University of Maine System and the Maine Community College System to identify existing services that meet the needs identified, assess the effectiveness of those services, determine what services are not being offered that, if offered, would meet those needs and propose services and solutions that fulfill those needs across campuses that are based upon best practices.

Part G provides for allocations to fund the initiatives proposed in this amendment.

FISCAL NOTE REQUIRED
(See attached)