

HOUSE No. 2073

Substituted by the House, on motion of Mr. McCarthy of East Bridgewater, for a bill with the same title (House, No. 2015). June 6.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Six.

AN ACT MAKING MANDATORY THE ESTABLISHMENT OF MUNICIPAL AND DISTRICT DEPARTMENTS OF VETERANS' SERVICES, UNDER DIRECTORS OF VETERANS' SERVICES, AND RELATIVE TO THE POWERS AND DUTIES OF SUCH DEPARTMENTS AND DIRECTORS.

1 *Whereas*, The deferred operation of this act would
2 in part defeat its purpose, which is to make immedi-
3 ately available to returning Massachusetts veterans
4 of World War II and to other veterans, advice and
5 counsel to enable such veterans to obtain without
6 delay the employment, vocational, educational, hos-
7 pitalization, pension and other benefits to which
8 they may be entitled, therefore this act is hereby
9 declared to be an emergency law, necessary for the
10 immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter one hundred and fifteen of
2 the General Laws is hereby amended by inserting

3 after section twenty-five, under the caption LOCAL
4 DEPARTMENTS OF VETERANS' SERVICES, the five
5 following sections:—

6 *Section 26.* The mayors of cities and the select-
7 men of towns, other than cities and towns which
8 become a part of a district as authorized by the
9 second paragraph of this section, shall cause to be
10 established and maintained in their respective cities
11 and towns a department for the purpose of furnish-
12 ing such information, advice and assistance to
13 veterans, as such term is defined by section twenty-
14 one of chapter thirty-one, as may be necessary to
15 enable them to procure the benefits to which they
16 are or may be entitled relative to employment,
17 vocational or other educational opportunities, hos-
18 pitalization, medical care, pensions and other
19 veterans' benefits. Each department so established
20 and maintained shall be known as the department
21 of veterans' services, and the officer in charge thereof
22 shall be known as the director of veterans' services.
23 Such director and any assistant or deputy director
24 appointed under sections twenty-six or twenty-
25 seven shall be a veteran, as such term is defined by
26 said section twenty-one, and shall be appointed in a
27 city by the mayor, with the approval of the city
28 council, and in a town by the selectmen.

29 Two or more adjoining towns each having a
30 population of less than five thousand, or, with the
31 written consent of the commissioner in each instance,
32 two or more adjoining towns of which only one has
33 a population of five thousand or over, or two or more
34 adjoining municipalities only one of which is a city
35 and only one of which has a population of five
36 thousand or over, may, in a city by vote of the city

37 council thereof, and in a town by vote of the select-
38 men thereof, form a district for the purposes set
39 forth in the first paragraph of this section, including
40 the appointment and compensation of a director of
41 veterans' services, for the enforcement therein of
42 such purposes and of such other provisions of law
43 as it may be his duty to enforce. Any constituent
44 city or town by vote may withdraw from the district
45 at the end of any fiscal year if such withdrawal is
46 voted in the manner aforesaid not less than thirty
47 days prior to the end of such fiscal year and notice
48 of such vote is filed with the other municipalities
49 comprising the district.

50 The director of veterans' services of each district
51 established under authority of the preceding para-
52 graph shall, under the direction of the district board
53 referred to in section twenty-seven, perform the
54 duties of his office in each of the municipalities com-
55 prising his district.

56 The treasurer of one of the municipalities com-
57 prising such district, designated by the district
58 board thereof, shall be treasurer of the district and
59 shall give to the district a bond, with a surety com-
60 pany authorized to transact business in the common-
61 wealth as surety, for the faithful performance of
62 his duties as treasurer of the district in such sum and
63 upon such conditions as said district board may
64 require. The district treasurer shall disburse the
65 money received under the provisions of section
66 twenty-seven upon warrants approved by the dis-
67 trict board.

68 *Section 27.* In every district established under
69 authority of section twenty-six there shall be a
70 board composed of the mayor of the city, if any, and

71 the chairman of the board of selectmen of each of
72 the towns, included in said district, which board
73 shall appoint, fix the compensation of, and may
74 remove the director of veterans' services of said
75 district; may appoint, fix the salary of, and remove,
76 a deputy or assistant to such director, if in the
77 opinion of said board such an officer is necessary;
78 may determine the expenses of said director and
79 deputy or assistant and of the department under his
80 charge and apportion the same among the several
81 municipalities comprising such district on the basis
82 of the taxable valuation of said municipalities as
83 last established by the general court as a basis of
84 apportionment for state and county taxes; and shall
85 promptly thereafter notify the treasurers of said
86 municipalities of such apportionment. Every city
87 or town treasurer so notified shall, annually in
88 December, certify the amount of such apporportion-
89 ment to the board of assessors of his municipality,
90 who shall include such amount in the tax levy of the
91 following year.

92 Upon order of the district board the city or town
93 treasurer of each of the constituent members of the
94 district shall from time to time pay to the district
95 treasurer a sum or sums not exceeding, in the aggre-
96 gate, the amount certified by the board as its respec-
97 tive share of the costs and expenses of the district.
98 In case a city or town becomes a member of a district
99 at a time when it is too late to permit an assessment
100 as provided by this act, such city or town may
101 appropriate and pay to the district treasurer an
102 amount representing its proportionate share of the
103 expense of the district for the period ending Decem-
104 ber thirty-first in the year in which such city or
105 town becomes a member of the district.

106 *Section 28.* In each city, and in each town not
107 included in a district established under section
108 twenty-six, and in each such district, there shall be
109 in the department of veterans' services an unpaid
110 advisory board to be appointed, in cities by the
111 mayor, in towns by the board of selectmen, and in
112 districts by the district board. Said advisory board
113 shall render such assistance to the director of
114 veterans' services of the municipality or district
115 relative to the provisions of this chapter, except as
116 to sections one to twenty-five, inclusive, as said
117 director may request. The commissioner is hereby
118 authorized and directed to formulate and publish
119 rules and regulations establishing in a general manner
120 the types of persons, with respect to their occupa-
121 tions, professions and special skills, who may be
122 appointed to such unpaid advisory boards. Every
123 such advisory board shall consist of not less than
124 five nor more than fifteen residents of the city, town
125 or district, as the case may be.

126 *Section 29.* Said departments shall acquire and
127 have on hand copies of current booklets and other
128 printed matter pertaining to the statutory rights of
129 veterans, as such term is defined in section twenty-one
130 of chapter thirty-one, provided under state and
131 federal laws. They may call at any time upon any
132 department, board, division or commission of the
133 commonwealth for such assistance as may be neces-
134 sary in carrying out their functions. They shall also
135 work in close co-ordination with existing federal
136 agencies established for the aid of such veterans,
137 and they shall enlist the support of hospitals within
138 their respective communities or districts for carrying
139 out the purposes of sections twenty-six to thirty,
140 inclusive.

141 *Section 30.* Departments established and main-
142 tained under sections twenty-six to thirty, inclusive,
143 shall be under the general direction of the com-
144 missioner, and they shall be physically located
145 independently of, and separate and apart from, any
146 other public or private agency, board, bureau, social
147 agency or society, except a department or agency
148 disbursing aid or relief under this chapter.

1 SECTION 2. Any provision of section twenty-six
2 or section twenty-seven of chapter one hundred and
3 fifteen of the General Laws, inserted by section one
4 of this act, to the contrary notwithstanding, the
5 person in a city authorized by the city charter or by
6 ordinance or vote of the city council, and in a town
7 authorized by vote of the selectmen, to disburse aid
8 or relief under this chapter shall, upon such effective
9 date, become the director of veterans' services for
10 such city or town and shall serve as such until other
11 provision is made under authority of said section
12 twenty-six; provided, that, if such person on said
13 effective date is not a veteran, as such term is defined
14 by section twenty-one of chapter thirty-one of the
15 General Laws, and has unlimited tenure of office or
16 is serving for a definite term, he may be retained in
17 office as such director until he is removed for cause,
18 or until the expiration of such term, as the case may
19 be; except that if a person was appointed as director
20 of veterans' services in any city, town or district,
21 under the provisions of chapter seven hundred and
22 twenty-three of the acts of nineteen hundred and
23 forty-five, such person shall be deemed to be ap-
24 pointed under the provisions of this act and any
25 appropriations made under the provisions of said

26 chapter shall be available and may be expended for
27 the purposes of this act. Such person shall have all
28 of the powers and duties and shall be subject to all
29 of the provisions of this act.

1 SECTION 3. Chapter seven hundred and twenty-
2 three of the acts of nineteen hundred and forty-five
3 is hereby repealed.

