

HOUSE No. 2015

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 29, 1946.

The committee on Municipal Finance on the part of the House, to whom was referred the Bill 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 (House, No. 1874), report that the same ought to pass in the form of a new draft herewith submitted (House, No. 2015).

For the committee,

MICHAEL J. McCARTHY.

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 shall be a veteran, as such term is
24 defined by said section twenty-one, and shall be
25 appointed in a city by the mayor, with the approval
26 of the city council, and in a town by the selectmen.

27 Two or more adjoining towns each having a
28 population of less than five thousand, or, with the
29 written consent of the commissioner in each instance,
30 two or more adjoining towns of which only one has
31 a population of five thousand or over, or two or more
32 adjoining municipalities only one of which is a city
33 and only one of which has a population of five
34 thousand or over, may, in a city by vote of the city
35 council thereof, and in a town by vote of the select-
36 men thereof, form a district for the purposes set
37 forth in the first paragraph of this section, including
38 the appointment and compensation of a director of
39 veterans' services, for the enforcement therein of
40 such purposes and of such other provisions of law
41 as it may be his duty to enforce. Any constituent
42 city or town by vote may withdraw from the district
43 at the end of any fiscal year if such withdrawal is
44 voted in the manner aforesaid not less than thirty

45 days prior to the end of such fiscal year and notice
46 of such vote is filed with the other municipalities
47 comprising the district.

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

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

65 *Section 27.* In every district established under
66 authority of section twenty-six there shall be a
67 board composed of the mayor of the city, if any, and
68 the chairman of the board of selectmen of each of
69 the towns, included in said district, which board
70 shall appoint, fix the compensation of, and may
71 remove the director of veterans' services of said
72 district; may appoint, fix the salary of, and remove,
73 a deputy or assistant to such director, if in the
74 opinion of said board such an officer is necessary;
75 may determine the expenses of said director and
76 assistant and of the department under his charge
77 and apportion the same among the several munici-
78 palities comprising such district on the basis of the

79 taxable valuation of said municipalities as last
80 established by the general court as a basis of appor-
81 tionment for state and county taxes; and shall
82 promptly thereafter notify the treasurers of said
83 municipalities of such apportionment. Every direc-
84 tor of veterans' services, and every deputy or assist-
85 ant to such director, appointed under authority
86 of this section shall be a veteran, as such term is
87 defined in section twenty-one of chapter thirty-one.
88 Every city or town treasurer so notified shall, an-
89 nually in December, certify the amount of such
90 apportionment to the board of assessors of his
91 municipality, who shall include such amount in the
92 tax levy of the following year. In case a city or
93 town becomes a member of a district at a time
94 when it is too late to permit an assessment as pro-
95 vided by this act, such city or town may appro-
96 priate and pay to the district treasurer an amount
97 representing its proportionate share of the expense
98 of the district for the period ending December thirty-
99 first in the year in which such city or town becomes
100 a member of the district.

101 *Section 28.* In each city, and in each town not
102 included in a district established under section
103 twenty-six, and in each such district, there shall be
104 in the department of veterans' services an unpaid
105 advisory board to be appointed, in cities by the
106 mayor, in towns by the board of selectmen, and in
107 districts by the district board. Said advisory board
108 shall render such assistance to the director of
109 veterans' services of the municipality or district
110 relative to the provisions of this chapter, except as
111 to sections one to twenty-five, inclusive, as said
112 director may request. The commissioner is hereby

113 authorized and directed to formulate and publish
114 rules and regulations establishing in a general manner
115 the types of persons, with respect to their occupa-
116 tions, professions and special skills, who may be
117 appointed to such unpaid advisory boards. Every
118 such advisory board shall consist of not less than
119 five nor more than fifteen residents of the city, town
120 or district, as the case may be.

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

136 *Section 30.* Departments established and main-
137 tained under sections twenty-six to thirty, inclusive,
138 shall be under the general direction of the com-
139 missioner, and they shall be physically located
140 independently of, and separate and apart from, any
141 other public or private agency, board, bureau, social
142 agency or society.

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, every
5 person who, on the effective date of this section, is a
6 city or town officer authorized to disburse state or
7 military aid, as provided by the first sentence of
8 section eighteen of said chapter one hundred and
9 fifteen, as amended, shall, upon such effective date,
10 become the director of veterans' services for such
11 city or town and shall serve as such until other
12 provision is made under authority of said section
13 twenty-six; provided, that, if such person on said
14 effective date is not a veteran, as such term is defined
15 by section twenty-one of chapter thirty-one of the
16 General Laws, and has unlimited tenure of office
17 or is serving for a definite term, he may be retained
18 in office as such director until he is removed for
19 cause, or until the expiration of such term, as the
20 case may be.

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

1 SECTION 4. So much of section one of this act
2 as authorizes the creation of districts for any or all
3 of the purposes thereof, and so much thereof as
4 authorizes cities, towns and such districts to estab-
5 lish departments for any or all of such purposes and
6 the appointment of directors and other necessary
7 assistants, and of unpaid advisory boards, in or for
8 departments so established, and section two of this
9 act and this section shall take effect upon the passage
10 of this act, and the balance of said section one, and
11 section three of this act, shall take effect on January
12 first, nineteen hundred and forty-seven.

