

# HOUSE . . . . No. 2073

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

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## 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 appor-  
89 tionment 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.

