

HOUSE No. 1789

By Mr. Harrington of Everett, petition of Richard A. Plunkett, Fred C. Harrington and others for legislation relative to veterans' benefits. Military Affairs and Public Safety.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO VETERANS' BENEFITS.

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. Section 2 of chapter 115 of the General
2 Laws is hereby amended by striking out the first two
3 paragraphs, as appearing in section 1 of chapter 584
4 of the acts of 1946, and inserting in place thereof the
5 following two paragraphs:—

6 The commissioner shall assist and counsel veterans'
7 agents in the performance of their duties, audit, so
8 far as the interests of the commonwealth require, all
9 payments of veterans' benefits, investigate, so far as
10 the interests of the commonwealth require, any pay-
11 ments of veterans' benefits he deems questionable,
12 prepare papers and expedite the adjudication of claims,
13 assist claimants in proving their cases, keep a record
14 of work done in his office, and make an annual report.

15 He shall establish the form of application to be
16 used by applicants for veterans' benefits, and shall

17 from time to time provide each city and town with
18 the blank application forms prepared by him.

1 SECTION 2. Said chapter 115 is hereby amended
2 by striking out section 3, as appearing in said sec-
3 tion 1 of chapter 584 of the acts of 1946, and inserting
4 in place thereof the following section:—

5 *Section 3.* Subject to the provisions of section
6 twenty-one of chapter five hundred and eighty-four of
7 the acts of nineteen hundred and forty-six the mayor
8 of each city except Boston shall, and the selectmen of
9 each town may, annually in April, appoint a veterans'
10 agent to disburse veterans' benefits by such city or
11 town. No almoner or member of a local board of
12 public welfare, or officer performing similar duties,
13 or any of them, shall be so appointed; but this section
14 shall not be construed as prohibiting selectmen who
15 are also members of the local board of public welfare
16 from acting in their capacity as selectmen to ad-
17 minister the provisions of this chapter.

18 Every veterans' agent shall have full power to
19 act upon each and every application for veterans'
20 benefits filed in his office, if the applicant's settlement
21 is in his city or town, shall keep all such applications and
22 re-applications on file in his office, copies of same to
23 be forwarded to the commissioner, shall require all
24 such applicants to file with him either the official
25 records of the veteran's inductions, enlistment, service
26 or discharge, or attested copies of photostats of same,
27 shall secure and keep on file any and all necessary
28 vital statistics for each case, shall from time to time
29 after the original allowance of any claim for veterans'
30 benefits, make such investigations of the necessities
31 and qualifications of the claimant as to prevent the

32 payment of any such benefits contrary to any pro-
33 vision of this chapter, and shall so far as the interests
34 of the commonwealth require allow the commissioner
35 or his representative to audit and inspect any and all
36 records he has on file relative to the payments of
37 veterans' benefits.

38 Every such agent shall, within three days after his
39 receipt of an application from or in behalf of a civil
40 war veteran, his wife or widow, for special care, under
41 the provisions of section two, notify the commissioner
42 thereof upon blank forms approved by him; upon
43 his refusal or unreasonable neglect to give such notice,
44 such agent shall be punished by a fine of twenty-five
45 dollars.

46 Upon the request of any veteran, the veterans'
47 agent for the city or town in which he resides shall
48 record his discharge or release papers, without charge,
49 in books kept by him for that purpose. Said agent
50 shall keep an index of papers so recorded, and copies
51 thereof, if attested by him, shall be admissible in evi-
52 dence to the same extent and with the same effect as
53 the originals.

1 SECTION 3. Said chapter 115 is hereby amended by
2 striking out section 4, as appearing in said section 1
3 of chapter 584 of the acts of 1946, and inserting in
4 place thereof the following section: —

5 *Section 4.* Every application for veterans' benefits
6 shall be in writing, signed by the applicant or a duly
7 authorized representative, accepted as such by the
8 agent, if he is not physically or mentally able to sign,
9 under the penalties of perjury, and shall contain a
10 statement of the name, age and residence of the appli-
11 cant and his relationship to the veteran upon whose

12 wartime service his application is based, such infor-
13 mation as the commissioner may require relative to
14 the commencement, duration, extent and termination
15 of such veteran's wartime service, and such other
16 representations, concerning the needs of the applicant
17 and his reasons for applying for such benefits, as the
18 commissioner may require. Every such application
19 shall be filed with the veterans' agent for the city or
20 town from which such benefits are sought.

1 SECTION 4. Section five of said chapter one hun-
2 dred and fifteen is hereby amended by striking out the
3 fifth or last paragraph or sentence of same, as appear-
4 ing in section two of chapter five hundred and thirty-
5 five of the acts of nineteen hundred and forty-eight.