

HOUSE No. 2302

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 25, 1954.

The committee on Military Affairs, to whom was referred the petition (accompanied by bill, House, No. 2168) of Fred L. True, Jr., for legislation to clarify the law providing for the granting of veterans' benefits, report the accompanying bill (House, No. 2302).

For the committee,

AUGUSTUS G. MEANS.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Four.

AN ACT CLARIFYING THE LAW PROVIDING FOR THE GRANTING OF VETERANS' BENEFITS.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, which is to clarify im-
3 mediately the law providing for the granting of
4 veterans' benefits, therefore it is hereby declared to
5 be an emergency law, necessary for the immediate
6 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 115 of the General Laws is
2 hereby amended by striking out section 1, as amended
3 by section 1 of chapter 590 of the acts of 1951, and
4 inserting in place thereof the following section: —

5 *Section 1.* Definitions. — The following words, as
6 used in this chapter, unless the context otherwise re-
7 quires, shall have the following meaning: —

8 "Commissioner", commissioner of veterans' services.

9 "Dependent", the wife, widow, child, mother or
10 father of a veteran, as hereinafter defined, including
11 any person who stood in the relationship of a parent to
12 such veteran for the five years next preceding the
13 commencement of his wartime service; provided,
14 that no child of a veteran who is more than eighteen
15 years of age shall be deemed a dependent, unless such
16 child is attending school for the purpose of completing
17 a regulation high school course or its equivalent, or
18 unless he is mentally or physically unable to support
19 himself and his disability existed before he attained
20 that age.

21 "Veteran", any person, male or female, including
22 a nurse, who was discharged or released from his last

23 wartime service under conditions other than dis-
24 honorable, and who served in the army, navy, coast
25 guard, marine corps or air force of the United States, or
26 who, while a resident of this commonwealth, served in
27 any of its military organizations mustered into the
28 service of the United States during:—

29 1. The civil war between the nineteenth day of
30 April, eighteen hundred and sixty-one, and the first
31 day of September, eighteen hundred and sixty-five;

32 2. The Indian war service of the United States
33 under the authority or by the approval of the United
34 States or any state or territory in any Indian war or
35 campaign, or in connection with or in the zone of any
36 active Indian hostilities in any of the states or terri-
37 tories of the United States prior to January first,
38 eighteen hundred and ninety-eight;

39 3. The Spanish war service, or during the period of
40 the Philippine insurrection or China Relief Expedition
41 between February fifteenth, eighteen hundred and
42 ninety-eight, and July fourth, nineteen hundred and
43 two;

44 4. The Mexican border service, between June
45 thirteenth, nineteen hundred and sixteen, and Febru-
46 ary third, nineteen hundred and seventeen;

47 5. World War I, between February third, nineteen
48 hundred and seventeen, and November eleventh,
49 nineteen hundred and eighteen;

50 6. World War II, between September sixteenth,
51 nineteen hundred and forty, and December thirty-
52 first, nineteen hundred and forty-six;

53 7. The Korean emergency between June twenty-
54 fifth, nineteen hundred and fifty, and the termination
55 of the emergency as declared by proper federal au-
56 thority.

57 8. With relation only to hospital benefits available
58 under this chapter, the First Nicaraguan, Haitian,
59 Dominican, Yangtze river, Second Yangtze valley,
60 and Second Nicaraguan campaigns, and the Mexican
61 (Vera Cruz) expedition.

62 “Veteran” shall also include persons who served in
63 provisional training regiments of the United States in
64 time of war or insurrection and whose last discharge or
65 release from such service was under conditions other
66 than dishonorable, regardless of any prior discharge
67 or release therefrom.

68 The term “wartime service”, as used herein, shall
69 include service in the Philippine Insurrection, China
70 Relief Expedition, Mexican border service and the
71 First Nicaraguan, Haitian, Dominican, Yangtze river,
72 Second Yangtze valley, and Second Nicaraguan cam-
73 paigns, the Mexican (Vera Cruz) expedition, and the
74 Korean emergency.

75 “Veterans’ agent”, the person appointed under
76 section three to disburse veterans’ benefits in any
77 city or town, or, if no such appointment has been
78 made, the mayor of the city or the selectmen of the
79 town disbursing such benefits; in Boston, the soldiers’
80 relief commissioner.

81 “Veterans’ benefits”, the benefits provided by this
82 chapter. When used in any statute, ordinance, by-
83 law, rule or regulation, the phrases “state aid”,
84 “military aid”, “soldiers’ relief”, “soldiers’ burial”, or
85 any words or phrases connoting the same, shall mean
86 veterans’ benefits.

1 SECTION 2. Said chapter 115 is hereby amended
2 by striking out section 6A, inserted by chapter 660 of
3 the acts of 1949, and inserting in place thereof the
4 following section: —

5 *Section 6A.* As used in this section and in sections
6 six B and six C the word “veteran” means any person
7 who served in the armed forces of the United States in
8 active service during the Spanish War service, World
9 War I, World War II, or the Korean emergency, as
10 defined in section one, who was a resident of this
11 commonwealth at the time of his entry into such
12 service and whose discharge or release therefrom was
13 other than dishonorable, and who has continued to be
14 a resident of this commonwealth.

1 SECTION 3. Section two of chapter seven hundred
2 and ninety-seven of the acts of nineteen hundred and
3 fifty, as amended by section seven of chapter five
4 hundred and ninety of the acts of nineteen hundred
5 and fifty-one, and section three of said chapter seven
6 hundred and ninety-seven, are hereby repealed.

