

To accompany the petition of the National Guard Association of Massachusetts, by Colonel Michael L. Connord, president, and Charles W. Hedges for legislation to provide that the board of compensation in considering certain claims shall consider only compensation received by the claimant or his dependents from the United States and arising from federal military service. Military Affairs.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT THE BOARD OF COMPENSATION ESTABLISHED TO CONSIDER CERTAIN CLAIMS ARISING FROM DUTY IN THE ARMED FORCES OF THE COMMONWEALTH SHALL CONSIDER ONLY COMPENSATION RECEIVED BY THE CLAIMANT OR HIS DEPENDENTS FROM THE UNITED STATES AND ARISING FROM FEDERAL MILITARY SERVICE.

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

1 Chapter 33 of the General Laws is hereby amended by striking
2 out section 90, as appearing in section 1 of chapter 590 of the
3 acts of 1954, and inserting in place thereof the following sec-
4 tion: —

5 *Section 90.* Claims against the commonwealth for compen-
6 sation under the provisions of section eighty-eight shall be
7 referred to a board of three officers, including the state surgeon
8 and the state judge advocate, appointed by the commander-in-
9 chief. The board in consideration of the claim shall take into
10 account any compensation [in the form of military benefits
11 which arise solely out of military service] received by the claim-
12 ant or his dependents from the United States. The board shall
13 have the same power to take evidence, administer oaths, issue
14 subpoenas and compel witnesses to attend and testify and
15 produce books and papers, and to punish their failure to do so
16 as is possessed by a general court-martial. The findings of the
17 board shall be subject to the approval of the commander-in-
18 chief. The amounts so found due and so approved shall be a
19 charge against the commonwealth and shall be paid in the same
20 manner as other military accounts.

