

# HOUSE . . . . . No. 1781

By Mr. Menton of Watertown, petition of the Massachusetts Veterans Services Agents Association, Inc., and Paul C. Menton that eligibility for veterans' benefits be based on the residence of the veteran rather than on settlement. Military Affairs.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Five.

### AN ACT SUBSTITUTING RESIDENCE FOR SETTLEMENT IN DETERMINING ELIGIBILITY FOR 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. The third paragraph of section 2 of chapter 115  
2 of the General Laws, as most recently amended by chapter 749  
3 of the acts of 1957, is hereby further amended by striking out  
4 the first sentence.

1 SECTION 2. Section 5 of said chapter 115 is hereby amended  
2 by striking out the first paragraph, as most recently amended by  
3 section 1 of chapter 305 of the acts of 1955, and inserting in place  
4 thereof the following paragraph:—

5 Veterans' benefits shall be paid to a veteran or dependent by  
6 the city or town wherein he resides; provided, that no benefits  
7 shall be paid to a veteran unless he has resided within the com-  
8 monwealth continuously for three years next preceding the date  
9 of his application for such benefits, nor to any dependent of a  
10 veteran unless he has actually resided within the commonwealth  
11 continuously for three years next preceding the date of his ap-  
12 plication for such benefits, nor unless the veteran of whom he is a  
13 dependent has actually resided within the commonwealth con-  
14 tinuously for three years next preceding the date of such de-  
15 pendent's application for such benefits. If the veteran is de-

16 ceased at the time of the dependent's application for benefits,  
17 and the veteran died while a resident of the commonwealth, the  
18 commissioner may, notwithstanding the foregoing proviso, au-  
19 thorize such benefits to such dependent actually residing in the  
20 commonwealth at the time of the veteran's death; provided,  
21 however, any veteran who actually resided in the commonwealth  
22 at the time of his entry into or continuance in active military or  
23 naval service of the United States shall be eligible for benefits  
24 without any waiting period.

1 SECTION 3. The sixth paragraph of said chapter 115, added  
2 by section 1 of chapter 753 of the acts of 1951, is hereby amended  
3 by striking out, in lines 8 and 9, the words "settlement or".

1 SECTION 4. Section 8 of said chapter 115, as amended, is  
2 hereby further amended by striking out the last two sentences  
3 and inserting in place thereof the following two sentences:--  
4 One half of the amounts so paid and allowed for burial expenses  
5 of veterans or dependents by the cities and towns wherein they  
6 reside shall be paid by the commonwealth to the several cities  
7 and towns on or before November tenth in the year after the  
8 expenditures have been made. Notwithstanding the require-  
9 ments as to residence as set forth in section five, the commissioner  
10 may authorize the burial agent of any city or town to arrange  
11 for the proper interment of the body of any indigent veteran who  
12 dies within the commonwealth.

1 SECTION 5. Section 9 of said chapter 115, as most recently  
2 amended by chapter 143 of the acts of 1957, is hereby further  
3 amended by striking out the last sentence and inserting in place  
4 thereof the following sentence:—In cities and towns where  
5 there are cemeteries containing the remains of deceased veterans,  
6 such cities and towns shall cause to be placed on such veterans'  
7 graves a flag of the United States on every Memorial day.

1 SECTION 6. This act shall take effect on September first in the  
2 current year, and shall apply only to veterans' benefits paid on  
3 and after said date.