THE COMMONWEALTH OF MASSACHUSETTS

By His Excellency

LEVERETT SALTONSTALL
GOVERNOR

EXECUTIVE ORDER NO. 54

WHEREAS, the prosecution of the existing war may result in enemy action, certain operations undertaken to deal with such action or the danger thereof, or other activities causing unusual hardships and distress to civilians, necessitating the immediate extension of extraordinary assistance and relief; and

WHEREAS, available resources of the political subdivisions and of private charitable organizations within the Commonwealth may be insufficient to provide adequate assistance and relief to the persons suffering from such hardship and distress; and

WHEREAS, it is the obligation of government to provide shelter, food, medical attention and other assistance and relief necessary or appropriate to mitigate such hardship and distress; and

WHEREAS, the Government of the United States, acting through the Joint Committee on Evacuation, the Office of Civilian Defense, the Office of Defense Health and Welfare Services, the Federal Security Agency, and other agencies, has indicated that it will reimburse the States for the cost of such assistance and relief; and

WHEREAS, Executive Order No. 30, promulgated July 1, 1942, was intended to provide a program to alleviate hardship and distress to civilians arising out of such enemy action and operations undertaken to deal therewith, but said order does not now meet the requirements of the Government of the United States sufficiently to enable the Commonwealth to obtain Federal funds with which to defray the cost of the program thereby provided,

NOW, THEREFORE, I, Leverett Saltonstall, Governor of the Commonwealth of Massachusetts, acting under the authority of Acts of 1941, chapter 719, as amended by Acts of 1943, chapter 3, Acts of 1942, chapter 13, sections 2, 3, and all other authority vested in me, do hereby issue this order as a measure necessary and expedient for meeting the supreme emergency of the existing state of war.

PART I.

Evacuation and Emergency Welfare Program.

1. There is hereby established within the Evacuation Division of the Massachusetts Committee on Public Safety, hereinafter called the Committee, and as one of the divisions thereof, an Evacuation and Emergency Welfare Service Authority, hereinafter called the Authority, which shall include the Director of the Evacuation Division of the Committee, the Commissioners of Public Welfare, Public Health, Education, the Chairman of the State Board of Housing, and the Director of the Medical Division and the Director of the Health and Social Services Division of the Committee. The Authority may add to its membership such other persons as it may deem necessary or desirable. Each of the said commissioners and directors may designate a duly authorized representative to act in his stead as a member of the Authority. The Chairman of said Authority shall be the Director of the Evacuation Division
of the Committee and shall be the Executive Officer of the Authority with the power and responsibility of carrying out its duties in the periods between meetings of the Authority. Said Authority shall elect a secretary from its membership.

2. The Authority is hereby authorized and empowered: --

(a) To devise plans to be administered by the Authority for the evacuation of persons from their homes and for their transportation, immediate shelter, sustenance, and care in the event that an evacuation of any area within the Commonwealth shall be ordered by the Government of the United States, acting through any duly authorized officer or agency thereof, or by the Governor of the Commonwealth, or in the event that unusual hardship or distress is caused to civilians by reason of war operations, including in such term enemy action, or the danger thereof; measures taken to meet such enemy action or the danger thereof, and the removal of persons from areas of destruction. In the performance of its functions hereunder the Authority shall utilize existing State Departments and agencies and the experience and resources of the American Red Cross to the greatest extent available.

(b) To accept and expend on behalf of the Commonwealth funds made available directly to the Authority by the Government of the United States or any agency thereof for the purpose of carrying out the duties conferred on it by Part I of this order; to certify to the appropriate Federal Agency the amount of Federal funds required for the activities of State departments and agencies participating in said plans and discharging any duties undertaken by them or assigned to them pursuant to Part I of this order; and such State departments and agencies are hereby authorized to accept and expend such funds as may be made available to them by the Government of the United States or any agency thereof on the certification of the Authority.

(c) To designate, appoint, supervise and remove regional and local authorities for the evacuation and reception of persons under the said plans.

(d) To co-operate with appropriate agencies of the Government of the United States in planning and executing an evacuation and reception program.

(e) To provide rest centers where food, shelter, and other forms of emergency aid may be immediately available to persons in need thereof.

(f) To provide registration and information centers to facilitate the reuniting of families.

3. Within and on behalf of said Authority, the Commissioner of Public Welfare shall provide the following Emergency Welfare Services:

   (a) The rehousing of families and individuals who have been rendered homeless;

   (b) Cash assistance to those who have no immediate resources;

   (c) The making of minor repairs to homes which can be rendered habitable;

   (d) The removal and storage of furniture and other effects from damaged buildings or areas;

   (e) The replacement of tools and other working materials to return workers to productive status;

   (f) The co-ordination of all public and private agencies and volunteer groups engaged in providing services and assistance to meet the varied social or economic needs of civilians.

4. The Authority is further authorized and empowered in carrying out the provisions of Part I of this order to act through such agents as it may designate, and to prescribe such rules and regulations as it may deem proper and desirable, provided that such rules and regulations shall not be inconsistent with pertinent rules and regulations of the Government of the United States or any agency thereof.

5. In carrying out the provisions of the program herein set forth the Authority may incur obligations in the name of the Commonwealth and may expend money of the Common-
wealth only for such purposes, under such circumstances, and in such manner as in its opinion will give rise to a right of reimbursement from the Government of the United States for such obligations and expenditures.

6. The Authority is hereby authorized and empowered to procure advances of money from the State Treasurer to provide the transportation, immediate shelter, sustenance and care authorized by Part I of this order, and the State Treasurer is hereby authorized and empowered to make such advances pursuant to, and in accordance with, General Laws (Ter. Ed.) chapter 29, sections 23, 24 and 25.

7. The State Comptroller is hereby authorized to certify for payment liabilities incurred by the Authority pursuant to the provisions of Part I of this order, provided that full and properly approved vouchers therefor have been filed with the State Comptroller, and provided that the Authority certifies that they are proper charges and that in its opinion the Commonwealth will be reimbursed therefor by the Government of the United States, and that proper official demand for such reimbursement has been or will thereafter be made to the Government of the United States. The State Treasurer is hereby authorized and empowered to pay liabilities so certified by the State Comptroller upon the order of the Governor with the advise and consent of the Council.

8. The Authority is further authorized and empowered to execute or to ratify, in the name of the Commonwealth, contracts for the hire of any and all types of conveyance, the use of which has been arranged for by the Authority, for the transportation of persons who, as a result of an evacuation or removal referred to in section 2 (a) hereof, require transportation from any place in the Commonwealth to any other place within or without the Commonwealth, including return transportation. The rates to be paid to persons furnishing transportation services or equipment under such contracts shall be approved by the Department of Public Utilities as a condition precedent to the payment of such rates by the Commonwealth.

9. The Authority is hereby directed to procure vouchers, to the fullest extent possible under the circumstances, for all expenditures made pursuant to Part I of this order from advances received from the State Treasurer, and to deliver the same to the State Comptroller in accounting for such advances.

10. Funds paid to the Commonwealth or to any department or agency thereof, including the Authority, by the Government of the United States or any agency thereof, by way of reimbursement or otherwise, for expenditures made or obligations incurred pursuant to the provisions of Part I of this order shall be paid over to the State Treasurer forthwith to be applied without appropriation against the aforesaid expenditures or obligations as the case may be.

11. No member of the Authority shall be deemed or held to incur any personal liability whatever for obligations incurred or expenditures made in good faith by the Authority in connection with the administration of the program provided for in Part I of this order. In the event that reimbursement cannot be secured from the Government of the United States for any such obligation or expenditure so incurred or made, such obligation or expenditure shall be deemed to be an obligation or expenditure of the Commonwealth.

12. The Authority may at any time make such investigation as it deems necessary of any or all obligations incurred pursuant to Part I of this order.

13. A majority of the membership of the Authority shall constitute a quorum and the Authority may do all things required of it or authorized to be done by it under Part I of this order by a majority vote of those present at a meeting, provided a quorum is in attendance.
PART II.

Civilian War Assistance Program.

1. In the event that unusual hardship or distress is caused to civilians by reason of war operations, including in such term enemy action, or the danger thereof, or measures taken to meet such enemy action or danger thereof, including the removal of persons from areas of destruction and the evacuation or removal of persons under Part I of this order, the Commissioner of Public Welfare, hereinafter referred to as the Commissioner, is hereby authorized and empowered as follows: --

   (a) To administer the Civilian War Assistance Program as the same is defined and authorized by the presidential allocation dated February 6, 1942 (#42-70), as continued by allocation (#42-152), or by such other allocations or appropriations as may be made therefor from time to time.

   (b) To take such action consistent with section 1 (a) above as he may deem advisable to provide food, clothing, medical attention and such other services, equipment or aid as he may deem necessary or proper for the temporary assistance and relief of persons in need thereof by reason of such war operations.

   The word "assistance" as used in this order shall be broadly construed and the limited scope of such word as defined in the welfare laws or similar legislation of the Commonwealth shall not apply to assistance furnished pursuant to Part II of this order.

   In exercising the authority herein conferred the Commissioner shall utilize the experience and resources of the Massachusetts Committee on Public Safety and of the American Red Cross to the greatest extent available.

   (c) To accept and expend on behalf of the Commonwealth funds made available by the Government of the United States or any agency thereof for carrying out the provisions of Part II of this order.

2. The following shall be permissible, though not exclusive, methods or means whereby the assistance or relief herein authorized to be provided by the Commissioner may be furnished to persons in need: distribution of food or other articles in kind, issuance of written purchase orders and direct payments by currency or check to persons to be aided.

3. In furnishing the assistance and relief herein authorized the Commissioner may incur obligations in the name of the Commonwealth and may expend money of the Commonwealth only for such purposes, under such circumstances, and in such manner as in his opinion will give rise to a right of reimbursement from the Federal Government for such obligations and expenditures.

4. The Commissioner is further authorized and empowered, in carrying out the provisions of Part II of this order, to act through such agents as he may designate, and to prescribe such rules and regulations as he may deem proper and desireable, provided that such rules and regulations shall not be inconsistent with pertinent Federal rules and regulations relating to similar assistance and relief.

5. The Commissioner is hereby further authorized and empowered for the purpose of carrying out the provisions of Part II of this order to procure advances of money from the State Treasurer, and said State Treasurer is hereby authorized and empowered to make such advances pursuant to, and in accordance with, General Laws (Ter. Ed.) chapter 29, sections 23, 24 and 25.

6. The State Comptroller is hereby authorized to certify for payment liabilities incurred by the Commissioner pursuant to Part II of this order, provided that full and properly approved
vouchers therefor have been filed with the State Comptroller, and provided that the Commiss-
ioner certified that they are proper charges and that in his opinion the Commonwealth will be
reimbursed therefor by the Federal Government, and that proper official demand for such
reimbursement has been or will thereafter be made to the Federal Government. The State
Treasurer is hereby authorized and empowered to pay liabilities so certified by the State Com-
troller upon the order of the Governor, with the advice and consent of the Council.

7. The Commissioner is hereby directed to procure vouchers, to the fullest extent possible
under the circumstances, for all expenditures made pursuant to Part II of this order from
advances received from the State Treasurer, and to deliver the same to the State Comptroller
in accounting for such advances.

8. Funds paid to the Commonwealth or to any department or agency thereof, including
the Commissioner, by the Federal Government or any agency thereof by way of reimburse-
ment or otherwise, for expenditures made or obligations incurred pursuant to the provisions
of Part II of this order, shall be paid over to the State Treasurer forthwith to be applied without
appropriation against the aforesaid expenditures or obligations as the case may be.

9. The Commissioner shall not be deemed or held to incur any personal liability what-
ever for obligations incurred or funds expended by him in good faith in connection with the
administration of the program hereby provided for. In the event that reimbursement cannot
be secured from the Federal Government for any such obligation or expenditure so incurred
or made, such obligation or expenditure shall be deemed to be an obligation or expenditure
of the Commonwealth.

10. The Commissioner may at any time make such investigation as he deems necessary
of any and all obligations incurred pursuant to Part II of this order.

PART III.

General.

1. The receipt by any person of assistance or relief furnished pursuant to this order,
including in such term temporary removal from his place of residence, shall not be deemed
or held to affect in any manner the acquisition or retention of settlement rights of such person
in any city or town of the Commonwealth.

2. Executive Order No. 30 promulgated July 16, 1942, is hereby repealed, revoked and
annulled. The legality of any act done in pursuance of said Executive Order No. 30 up to and
including the date hereof shall in no way be affected by such repeal, revocation and annul-
ment. The Commissioner of Public Welfare is hereby authorized in his discretion to complete
in accordance with the provisions of Executive Order No. 30 such undertakings as were begun
by him pursuant to the authority thereof prior to the date hereof.

GIVEN at the Executive Chamber in Boston, this first day of June, in
the year of our Lord one thousand nine hundred and forty-three, and of
the Independence of the United States of America, the one hundred
and sixty-seventh.

By His Excellency the Governor,
LEVERETT SALTONSTALL.

FREDERIC W. COOK,
Secretary of the Commonwealth.
GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS