

# HOUSE . . . . No. 2063

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 5, 1946.

The committee on Ways and Means, to whom were referred the Bill further providing suitable recognition of those residents of Massachusetts who shall have served in the armed forces of the United States during the existing war (House, No. 1641), so much of the Governor's Address (Senate, No. 1) as relates to an amendment of the so-called bonus law so that veterans may experience no undue delay or difficulty in receiving the intended benefits (page 31), and the petition (accompanied by bill, House, No. 1377) of Harold Tompkins for legislation relative to the payment of the war veterans' bonus, so called, to certain persons, report the accompanying bill (House, No. 2063).

For the committee,

CHARLES GIBBONS.

## The Commonwealth of Massachusetts

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

AN ACT FURTHER PROVIDING SUITABLE RECOGNITION OF CERTAIN RESIDENTS OF MASSACHUSETTS WHO SHALL HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING WORLD WAR II.

1    *Whereas*, The deferred operation of this act would  
2 tend to defeat its purpose, which is to provide promptly  
3 further recognition of Massachusetts residents upon  
4 their honorable discharge or release from duty in the  
5 armed forces of the United States during the existing  
6 war, therefore it is hereby declared to be an emerg-  
7 ency law, necessary for the immediate preservation  
8 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 seven hundred and thirty-one  
2 of the acts of nineteen hundred and forty-five is  
3 hereby amended by striking out section one, as  
4 amended by section one of chapter two hundred and  
5 ten of the acts of the current year, and inserting in  
6 place thereof the following section:—

7    *Section 1.* Upon application, as hereinafter pro-  
8 vided, there shall be allowed and paid out of the  
9 treasury of the commonwealth, without appropria-  
10 tion and without a warrant from the governor and

11 council, to each person who shall have served in the  
12 armed forces of the United States, in active service,  
13 on or after September sixteenth, nineteen hundred  
14 and forty and prior to the termination of the present  
15 war, as declared by presidential proclamation or con-  
16 current resolution of the congress, and shall have  
17 received a discharge or release, other than a dis-  
18 honorable one, from such service, the sum of one  
19 hundred dollars and, in addition thereto, the sums  
20 hereinafter specified; provided, that the domicile  
21 of every person on account of whose service the ap-  
22 plication is filed shall have been in the commonwealth  
23 for a period of not less than six months immediately  
24 prior to the time of his entry into service.

25 Payments under this act which are in addition to  
26 the said sum of one hundred dollars shall be to per-  
27 sons and in sums as follows: —

28 (1) One hundred dollars to each person who per-  
29 formed active service for more than one year but  
30 served no part thereof in Alaska or in any place out-  
31 side the continental limits of the United States;

32 (2) Two hundred dollars to each person who per-  
33 formed active service outside the continental limits of  
34 the United States or in Alaska.

1 SECTION 2. Said chapter seven hundred and  
2 thirty-one is hereby further amended by striking out  
3 section two, as amended by section two of said chapter  
4 two hundred and ten, and inserting in place thereof  
5 the following: —

6 *Section 2.* The words "armed forces", as used in  
7 this act, shall mean the following: — United States  
8 Army, Army of the United States, United States  
9 Navy, United States Naval Reserve, United States

10 Marine Corps, United States Marine Corps Reserve,  
11 United States Coast Guard, United States Coast  
12 Guard Reserve, Women's Army Corps, Women's  
13 Auxiliary — Navy, Women's Auxiliary — United  
14 States Marine Corps, Women's Auxiliary — United  
15 States Coast Guard, Army Nurse Corps, Navy Nurse  
16 Corps, and Commissioned Corps of the United States  
17 Public Health Service and officers of the United  
18 States Coast and Geodetic Survey assigned to active  
19 duty with any of the foregoing.

1 SECTION 3. Said chapter seven hundred and thirty-  
2 one is hereby further amended by inserting after sec-  
3 tion three the following new section:—

4 *Section 3A.* In the case of any person who is  
5 mentally incompetent and is entitled to the benefits  
6 of this act and for whom no legal guardian has been  
7 appointed by the court, the sum named therein shall  
8 be paid to his dependents, and in determining the  
9 order of precedence so far as practicable the following  
10 order shall be observed: wife and children, mother  
11 or father, brother or sister, other dependents.

1 SECTION 4. Section five of said chapter seven hun-  
2 dred and thirty-one is hereby amended by adding  
3 at the end the following:— Nothing in this section  
4 shall prevent any veteran from being eligible for the  
5 benefits of this act if he was honorably discharged  
6 or released from all war time service.

1 SECTION 5. Said chapter seven hundred and thirty-  
2 one is hereby further amended by inserting after  
3 section eight the following new section:—

4 *Section 8A.* Any person aggrieved by a decision  
5 of the state treasurer in the matter of payments pro-  
6 vided for by this act may appeal to a board, to con-  
7 sist of a member of the department of the state  
8 treasurer to be designated by the state treasurer, an  
9 assistant attorney general to be designated by the  
10 attorney general, and the adjutant general or his  
11 representative, and shall be entitled to a hearing,  
12 after due notice, upon such appeal. The decision of  
13 said board shall be final.

1 SECTION 6. The additional payments under sec-  
2 tion one of said chapter seven hundred and thirty-  
3 one of the acts of nineteen hundred and forty-five  
4 provided for by this act shall be made from so much  
5 of the proceeds of the taxes assessed under said chap-  
6 ter seven hundred and thirty-one as may not be  
7 needed to meet the payments authorized by said act,  
8 as originally enacted, and from the funds provided  
9 for by section seven of this act, and also from the  
10 proceeds of such other taxes or from other sources as  
11 the general court may from time to time determine.

1 SECTION 7. For the purpose of meeting the ex-  
2 penditures authorized by this act, the state treasurer,  
3 with the approval of the governor, may issue and sell  
4 at public or private sale bonds of the commonwealth to  
5 an amount not exceeding ninety million dollars. Such  
6 bonds shall be issued on the serial payment plan for  
7 such term of years not exceeding ten years as the  
8 governor may recommend to the general court pur-  
9 suant to section three of Article LXII of the amend-  
10 ments to the constitution of the commonwealth. Such

11 bonds shall bear interest payable semi-annually at  
12 such rate as the state treasurer, with the approval of  
13 the governor, shall fix. The principal and interest on  
14 said bonds shall be paid from the proceeds of the  
15 taxes assessed under chapter seven hundred and thirty-  
16 one of the acts of nineteen hundred and forty-five,  
17 but, nevertheless, said bonds shall be general obliga-  
18 tions of the commonwealth.



