

**SENATE . . . . . No. 2193**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act Text of the amendment (Senate Ways and Means) to the House Bill providing benefits to veterans and service members H4310.

*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 33 of the General Laws is hereby amended by inserting after  
2 section 67 the following section:-

3           Section 67A. There shall be a medal of liberty which shall be awarded to the next of kin  
4 of service men and women from the commonwealth killed in action or who died as a result of  
5 wounds received in action. The adjutant general and 2 field grade officers of the armed forces of  
6 the commonwealth detailed by the commander-in-chief shall constitute a commission to make  
7 recommendations to the commander-in-chief for the awarding of the medal of liberty.

8           SECTION 2. The last sentence of section 4 of chapter 51 of the General Laws, as  
9 appearing in the 2008 Official Edition, is hereby amended by adding the following words:- , the  
10 secretary of veterans services and local veterans' service officers.

11           SECTION 3. Section 89 of chapter 54 of the General Laws, as so appearing, is hereby  
12 amended by adding the following paragraph:-

13           An absent uniformed service voter and oversea voter as defined in section 107 of the  
14 federal Uniformed and Overseas Citizens Absentee Voting Act, may request an absentee ballot  
15 by mail or electronically for a preliminary, primary or general election for a federal, state, city,  
16 town, county or district office or any ballot question. In the application, such an absent  
17 uniformed services voter or overseas voter as defined in section 107 of the federal Uniformed  
18 and Overseas Citizens Absentee Voting Act may designate that his absentee ballot be transmitted  
19 by mail or electronically for any such election or ballot question, but if such voter does not  
20 designate his preference, the absentee ballot shall be sent to the voter by mail. The state  
21 secretary may promulgate rules and regulations necessary for the implementation of this  
22 paragraph.

23           SECTION 4. Section 91B of said chapter 54, as so appearing, is hereby amended by  
24 striking out, in line 4, the words “and (c),” and inserting in place thereof the following words:- ,  
25 (c) and (d).

26           SECTION 5. Said section 91B of said chapter 54, as so appearing, is hereby further  
27 amended by adding the following subsection:-

28           (d) To absent uniformed services voters and overseas voters as defined in section 107 of  
29 the federal Uniformed and Overseas Citizens Absentee Voting Act, a ballot for a preliminary,  
30 primary or general election for federal, state, city, town, county or district office or for a ballot  
31 question may be delivered either by mail or electronically. The state secretary may promulgate  
32 rules and regulations necessary for the implementation of this subsection, including designating  
33 at least 1 means of electronic communication for use by absent uniformed services voters and  
34 overseas voters who wish to register to vote or to vote in a jurisdiction in the commonwealth to

35 request voter registration applications and absentee ballot applications in accordance with state  
36 and federal law and to establish procedures for electronic transmission of election materials.

37 SECTION 6. Section 92 of said chapter 54, as so appearing, is hereby amended by adding  
38 the following subsection:-

39 (d) Absent uniformed services voters and overseas voters as defined in section 107 of the  
40 federal Uniformed and Overseas Citizens Absentee Voting Act, may return a ballot for a primary  
41 or election which includes a preliminary, primary or general election for federal, state, city,  
42 town, county or district office or for a ballot question either by mail or electronically. The state  
43 secretary may promulgate rules and regulations necessary for the implementation of this  
44 subsection, including establishing procedures for electronic transmission of election materials.

45 SECTION 7. Section 94 of said chapter 54, as so appearing, is hereby amended by adding  
46 the following paragraph:-

47 The city or town clerk or a person designated by the clerk shall, upon receipt of a  
48 completed absentee ballot from absent uniformed services voters or overseas voters as defined in  
49 section 107 of the federal Uniformed and Overseas Citizens Absentee Voting Act, verify the  
50 voter's qualifications. If the voter's qualifications cannot be verified, the clerk shall notify the  
51 voter as soon as possible that his qualifications could not be verified and request additional  
52 information to assist in the verification process. If the additional information is not timely  
53 received from the voter, the clerk shall reject the ballot and notify the voter that his ballot has  
54 been rejected.

55 SECTION 8. Section 95 of said chapter 54, as so appearing, is hereby amended by  
56 adding the following paragraph:-

57 Preliminary, primary or general election for federal, state, city, town, county or district  
58 office or any ballot question write-in absentee ballots from absent uniformed services voters and  
59 overseas voters as defined in section 107 of the federal Uniformed and Overseas Citizens  
60 Absentee Voting Act shall be counted for the preliminary, primary or general election for the  
61 federal, state, city, town, county or district office or for the ballot question if received by the city  
62 or town clerk before the hour fixed for closing the polls as provided in section 93 but only if no  
63 valid state ballot has been received from the same voter; provided, however, that it shall be  
64 counted even if the voter has not applied for a state absent voter ballot or if the voter's  
65 application was received less than 30 days before the primary. Such ballots shall be processed in  
66 the office of the registrars after the hour of the closing of the polls and the registrars shall amend  
67 each precinct tally sheet to include the counted preliminary, primary or general election for  
68 federal, state, city, town, county or district office or any ballot question write-in absentee ballots.

69 SECTION 9. Section 26 of chapter 149 of the General Laws, as so appearing, is hereby  
70 amended by striking out, in lines 7 to 9, inclusive, the words "male veterans as defined in clause  
71 Forty-third of section seven of chapter four, and who are qualified to perform the work which the  
72 employment relates" and inserting in place thereof the following words:- veterans as defined in  
73 clause Forty-third of section 7 of chapter 4 and who are qualified to perform the work which the  
74 employment relates and, within such preference, preference shall be given to service-disabled  
75 veterans.

76 SECTION 10. Said section 26 of said chapter 149, as so appearing, is hereby further  
77 amended by inserting after the word "district", in line 17, the following words:- and, within such  
78 preference, preference shall be given to service-disabled veterans.

79           SECTION 11. The executive office of health and human services, in consultation with  
80 the executive office for administration and finance and the department of veterans affairs, shall  
81 study the current capacity to provide appropriate health care services for Massachusetts veterans  
82 and assess the necessity and feasibility of expanding capacity at current soldiers' homes or for  
83 establishing additional soldiers' homes in the commonwealth. The study shall examine factors  
84 including, but not limited to, the current and projected populations of veterans, the geographical  
85 distribution of the populations and the needs of the populations. The study shall assess potential  
86 funding mechanisms for expanded capacity at current soldiers' homes or for the construction and  
87 operation of additional soldiers' home, including the availability of federal, state or private  
88 funds. The study shall also examine the possibility of providing services to veterans by contract  
89 with private providers. The executive office shall report the results of its study and its findings to  
90 the general court not later than November 11, 2010.

91           SECTION 12. Notwithstanding any general or special law to the contrary, veterans who  
92 reside in the commonwealth and were not dishonorably discharged from the armed services may  
93 receive credit toward or exemption from apprenticeship, school and other requirements to  
94 acquire a permit or license to perform work in an area requiring a license. Individual state  
95 licensing boards may, as necessary, promulgate rules and regulations to award veterans'  
96 exemptions from or such credit towards licensure for all related military experience and  
97 schooling in the area in which the veteran seeks to be licensed. The rules and regulations may  
98 include, but not be limited to, accepting all or a portion of a veteran's military training and work  
99 experience in lieu of apprenticeship requirements.

100           SECTION 13. Notwithstanding any general or special law to the contrary, a resident of  
101 the commonwealth who is sent overseas as a member of the United States Armed Forces and is

102 eligible to receive benefits pursuant to section 16 of chapter 130 of the acts of 2005 may receive  
103 such benefits each time he is deployed; provided, however, that an eligible resident shall receive  
104 the full bonus allowed by said section 16 of said chapter 130 upon return after his first  
105 deployment and 50 per cent of the bonus after each subsequent deployment, provided that  
106 appropriated funding is available and the state treasurer certifies that the relevant account has  
107 sufficient funds to maintain such an initiative. The state treasurer shall annually provide a status  
108 report on the account to the secretary of veterans services, the secretary of administration and  
109 finance, the house and senate committees on ways and means and the joint committee on  
110 veterans and federal affairs.

111 SECTION 14. (a) Notwithstanding any general or special law to the contrary, there shall  
112 be a veterans' hall of fame council to study the feasibility of establishing a veterans' hall of fame  
113 in the commonwealth. The commission shall consist of the president of the senate and the  
114 speaker of the house of representatives or their designees who shall serve as co-chairs, the  
115 minority leaders of the senate and house of representatives or their designees and the senate and  
116 house chairs of the joint committee on veterans and federal affairs or their designees, the adjutant  
117 general of the national guard or his designee, the secretary of veterans' services or his designee,  
118 the state superintendent of state office buildings or his designee and 2 persons to be appointed by  
119 the governor who shall be honorably-discharged veterans. Members shall serve without  
120 compensation.

121 (b) The council shall review and analyze the feasibility of and costs associated with  
122 establishing a veterans' hall of fame in the commonwealth and shall study reasonable methods  
123 and criteria that may be utilized for nominating and inducting veterans who are residents of the  
124 commonwealth into the veterans' hall of fame.

125           (c) The commission shall submit its finding and recommendations for establishing a  
126 veterans' hall of fame in the commonwealth by filing the same with the clerks of the house of  
127 representatives and senate, the house and senate committees on ways and means and the joint  
128 committee on veterans and federal affairs not later than November 11, 2010.