

**SENATE . . . . . No. 2194**

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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 Senate amendment (printed as amended) to the House Bill providing benefits to veterans and service members (House, No. 4310).

*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. The third paragraph of section 95 of chapter 54 of the General Laws, as  
12 appearing in the 2008 Official Edition, is hereby amended by striking out the first sentence and  
13 inserting in place thereof the following sentence:- Federal write-in absentee ballots shall be

14 received and counted as provided in section 103 of the federal Uniformed and Overseas Citizens  
15 Absentee Voting Act, 42 U.S.C. section 1973ff-2, for any preliminary, primary or general  
16 election for federal, state, city, town, county or district office or any ballot question.

17 SECTION 4. Said section 95 of said chapter 54, as so appearing, is hereby further  
18 amended by adding the following 2 paragraphs:-

19 Federal write-in absentee ballots from absent uniformed services voters and overseas  
20 voters as defined in section 107 of said Uniformed and Overseas Citizens Absentee Voting Act  
21 that are transmitted by email or facsimile as permitted by this section, shall be counted for  
22 federal, state, city, town, county or district offices at any preliminary, primary or general election  
23 or any ballot question so long as they were received by the city or town clerk before the hour  
24 fixed for closing the polls as provided in section 93, but only if no valid state ballot has been  
25 received from the same voter; provided, however, that section 99 shall apply to federal write-in  
26 absentee ballots sent by mail; and provided further, that a federal write-in absentee ballot shall be  
27 counted even if the voter has not applied for a state absent voter ballot or if the voter's  
28 application was received after the thirtieth day before the election. The ballots shall be processed  
29 in the office of the registrars after the hour of the closing of the polls and the registrars shall  
30 amend each precinct tally sheet to include the counted federal write-in absentee ballots.

31 Absent uniformed services voters and overseas voters may mail, email or send by  
32 facsimile, a completed federal write-in absentee ballot directly to local election officials or use  
33 transmission services provided and administered through the Federal Voting Assistance  
34 Program, or any successor program. Email or facsimile transmissions of a federal write-in  
35 absentee ballot shall include a completed form approved by the Federal Voting Assistance

36 Program, or any successor program, declaring that the voter voluntarily waives the right to a  
37 secret ballot..

38 SECTION 5. Section 26 of chapter 149 of the General Laws, as so appearing, is hereby  
39 amended by striking out, in lines 7 to 9, inclusive, the words “male veterans as defined in clause  
40 Forty-third of section seven of chapter four, and who are qualified to perform the work which the  
41 employment relates” and inserting in place thereof the following words:- veterans as defined in  
42 clause Forty-third of section 7 of chapter 4 and who are qualified to perform the work which the  
43 employment relates and, within such preference, preference shall be given to service-disabled  
44 veterans.

45 SECTION 6. Said section 26 of said chapter 149, as so appearing, is hereby further  
46 amended by inserting after the word “district”, in line 17, the following words:- and, within such  
47 preference, preference shall be given to service-disabled veterans.

48 SECTION 7. The executive office of health and human services, in consultation with the  
49 executive office for administration and finance and the department of veterans affairs, shall study  
50 the current capacity to provide appropriate health care services for Massachusetts veterans and  
51 assess the necessity and feasibility of expanding capacity at current soldiers’ homes or for  
52 establishing additional soldiers’ homes in the commonwealth. The study shall examine factors  
53 including, but not limited to, the current and projected populations of veterans, the geographical  
54 distribution of the populations and the needs of the populations. The study shall assess potential  
55 funding mechanisms for expanded capacity at current soldiers’ homes or for the construction and  
56 operation of additional soldiers’ home, including the availability of federal, state or private  
57 funds. The study shall also examine the possibility of providing services to veterans by contract

58 with private providers. The executive office shall report the results of its study and its findings to  
59 the general court not later than November 11, 2010.

60 SECTION 8. Notwithstanding any general or special law to the contrary, veterans who  
61 reside in the commonwealth and were not dishonorably discharged from the armed services may  
62 receive credit toward or exemption from apprenticeship, school and other requirements to  
63 acquire a permit or license to perform work in an area requiring a license. Individual state  
64 licensing boards may, as necessary, promulgate rules and regulations to award veterans'  
65 exemptions from or such credit towards licensure for all related military experience and  
66 schooling in the area in which the veteran seeks to be licensed. The rules and regulations may  
67 include, but not be limited to, accepting all or a portion of a veteran's military training and work  
68 experience in lieu of apprenticeship requirements.

69 SECTION 9. Notwithstanding any general or special law to the contrary, a resident of  
70 the commonwealth who is sent overseas as a member of the United States Armed Forces and is  
71 eligible to receive benefits pursuant to section 16 of chapter 130 of the acts of 2005 may receive  
72 such benefits each time he is deployed; provided, however, that an eligible resident shall receive  
73 the full bonus allowed by said section 16 of said chapter 130 upon return after his first  
74 deployment and 50 per cent of the bonus after each subsequent deployment, provided that  
75 appropriated funding is available and the state treasurer certifies that the relevant account has  
76 sufficient funds to maintain such an initiative. The state treasurer shall annually provide a status  
77 report on the account to the secretary of veterans services, the secretary of administration and  
78 finance, the house and senate committees on ways and means and the joint committee on  
79 veterans and federal affairs.

80 SECTION 10. (a) Notwithstanding any general or special law to the contrary, there shall  
81 be a veterans' hall of fame council to study the feasibility of establishing a veterans' hall of fame  
82 in the commonwealth. The commission shall consist of the president of the senate and the  
83 speaker of the house of representatives or their designees who shall serve as co-chairs, the  
84 minority leaders of the senate and house of representatives or their designees and the senate and  
85 house chairs of the joint committee on veterans and federal affairs or their designees, the adjutant  
86 general of the national guard or his designee, the secretary of veterans' services or his designee,  
87 the state superintendent of state office buildings or his designee and 2 persons to be appointed by  
88 the governor who shall be honorably-discharged veterans. Members shall serve without  
89 compensation.

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

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

98 SECTION 11. Notwithstanding any general or special law to the contrary, a special  
99 commission to study the feasibility and costs of establishing a functional magnetic resonance  
100 imaging and neuropsychological cognitive testing program for all military forces of the  
101 commonwealth prior to and upon return from deployment.

102           The commission shall consist of the secretary of veterans services or his designee, who  
103 shall serve as chair of the commission, the president of the senate and the speaker of the house or  
104 their designees, the minority leaders of the senate and house of representatives or their designees,  
105 the senate and house chairs of the joint committee on veterans and federal affairs or their  
106 designees, the adjutant general of the national guard or his designee, the secretary of health and  
107 human services or his designee, the secretary of administration and finance or his designee; and 2  
108 persons to be appointed by the governor, both of whom shall be honorably-discharged veterans  
109 who are residents of the commonwealth. The members shall serve without compensation.

110           The commission shall report to the general court the result of its investigation and study  
111 and its recommendations, if any, together with drafts of legislation necessary to carry its  
112 recommendations into effect by filing the same with the clerks of the house of representatives  
113 and senate who shall forward the same to the house and senate committees on ways and means  
114 and the joint committee on veterans and federal affairs not later than November 11, 2010.

115           SECTION 12. The state secretary shall immediately notify the program director or his  
116 designee of the Federal Voting Assistance Program or any successor program of all changes  
117 affecting absent uniformed services voters and overseas voters provided for in sections 13 and  
118 15.