

SENATE No. 1823

The Commonwealth of Massachusetts

PRESENTED BY:

John Hart, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to public homes for veterans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John Hart, Jr.</i>	
<i>Bruce E. Tarr</i>	
<i>Robert L. Hedlund</i>	
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>
<i>Michael O. Moore</i>	
<i>Carlo Basile</i>	<i>1st Suffolk</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Richard T. Moore</i>	
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>

SENATE No. 1823

By Mr. Hart, a petition (accompanied by bill, Senate, No. 1823) of John Hart, Jr., Bruce E. Tarr, Robert L. Hedlund and other members of the General Court for legislation relative to public homes for veterans. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to public homes for veterans.

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. Notwithstanding any general or special law to the contrary, the board of
2 trustees of the Home of the Brave, Inc., a 501(c)(3) non-profit corporation, in sections 19
3 through 24 , inclusive, referred to as the corporation, may construct, purchase and operate public
4 homes for veterans. Such homes shall be considered “state veterans’ homes.” The construction,
5 purchase and operation of state veterans’ homes shall be funded from available federal and
6 private funds. The primary purpose of such state veterans’ homes is to provide support and care
7 for honorably discharged veterans who served in the Armed Forces of the United States for no
8 less than 180 days.

9 SECTION 2. Notwithstanding any general or special law to the contrary, the corporation
10 shall have, but shall not be limited to, the following powers:-

11 (a) to make and execute contracts and all other instruments necessary or convenient for
12 the exercise of its powers and functions under sections 18 through 24, inclusive;

(b) to acquire, in the name of the corporation, real or personal property of any interest therein, including rights or easements, on either a temporary or long-term basis by gift, purchase, transfer, foreclosure, lease or otherwise;

(c) to hold, sell, assign, lease, rent, encumber, mortgage or otherwise dispose of any real or personal property, or any interest therein, or mortgage interest owned by the corporation or in its control, custody or possession and release or relinquish any right, title, claim, lien, interest, easement or demand however acquired;

(d) to procure insurance against any loss in connection with its property and other assets in amounts and from insurers that it deems desirable;

(e) to receive, on behalf of the commonwealth, bequests and donations that may be made to improve the general comfort and welfare of the members of the state veterans' homes or for the betterment of the state veterans' homes;

(f) to apply for, and receive, any grants-in-aid for which the corporation shall be eligible;

(g) to borrow funds, make and issue bonds and negotiate notes and other evidences of indebtedness or obligations for prudent and reasonable capital, operational and maintenance purposes on behalf of the state veterans' homes ; provided that the corporation may secure payments of all or part of the obligations by pledge of part of the revenues or assets of the corporation that are available for pledge and that may be lawfully pledged or by mortgage of part, or all, of any property owned by the corporation; provided that the corporation may do all lawful things necessary and incidental to these powers; and provided that the corporation may borrow money from the federal government and its agencies, from state agencies and from any other source; and

(h) to take other actions necessary or convenient to exercise the powers granted or reasonably implied in this section.

SECTION 3. The corporation shall appoint an administrator who shall be an honorably discharged veteran who shall administer the state veterans' homes in accordance with the rules, guidelines and general policies established by the board of trustees of the corporation. The administrator shall serve for an indefinite term, but may be removed for cause by the board of trustees. The administrator's salary shall be set by the board. The administrator shall hire the necessary employees to operate the state veterans' homes; provided, that said employees shall not be considered employees of the commonwealth.

SECTION 4. Notwithstanding any general or special law to the contrary, veterans desiring admission to the state veterans' homes shall apply on forms prescribed by the administrator. Admission shall be granted only to veterans who were residents of the commonwealth at time of entry into the armed forces or at the time of application for admission and to the spouses, widows or widowers of eligible veterans; provided that suitable facilities are available. Parents of armed services members who are killed in action or die as a consequence of wounds received in battle are also eligible, as so called