SENATE DOCKET, NO. 1213 FILED ON: 1/20/2011

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:
John Hart, Jr.	
Bruce E. Tarr	
Robert L. Hedlund	
Katherine M. Clark	*Middlesex and Essex*
Michael O. Moore	
Carlo Basile	*1st Suffolk*
Richard J. Ross	*Norfolk, Bristol, and Middlesex*
Richard T. Moore	
Michael F. Rush	*Suffolk and Norfolk*

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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:

SECTION 1. Notwithstanding any general or special law to the contrary, the board of trustees of the Home of the Brave, Inc., a 501(c)(3) non-profit corporation, in sections 19 through 24 , inclusive, referred to as the corporation, may construct, purchase and operate public homes for veterans. Such homes shall be considered "state veterans' homes." The construction, purchase and operation of state veterans' homes shall be funded from available federal and private funds. The primary purpose of such state veterans' homes is to provide support and care for honorably discharged veterans who served in the Armed Forces of the United States for no less than 180 days.

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

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

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

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

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

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

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

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

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

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

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