

**HOUSE . . . . . No. 4285**

---

---

House bill No. 4278, as changed by the House committee on Bills in the Third Reading, and as amended and passed to be engrossed by the House. May 11, 2016.

---

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act relative to housing, operations, military service, and enrichment.

*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 6 of the General Laws is hereby amended by striking out section  
2   71, as appearing in the 2014 Official Edition, and inserting in place thereof the following  
3   section:-

4           Section 71. The board of trustees of the Soldiers’ Home in Holyoke shall have the  
5   management and control of the Soldiers’ Home in Holyoke and all property, real and personal, of  
6   the commonwealth and occupied or used by the home. In the management and control of the  
7   home as aforesaid, said board of trustees shall: (1) adopt, issue and promulgate reasonable rules  
8   and regulations governing outpatient treatment at, admission to and hospitalization in the home,  
9   and (2) appoint a superintendent. The superintendent shall be the administrative head of the  
10   home. The superintendent shall, subject to the approval of the trustees, appoint and may remove  
11   a medical director, a treasurer, and assistant treasurer. The treasurer and assistant treasurer shall  
12   devote their full time and attention to the duties of their office. Section 49 of chapter 31 shall  
13   apply to the appointment of the treasurer and assistant treasurer. The superintendent shall also

14 appoint and remove such other persons as the superintendent deems necessary for the proper and  
15 efficient operation of the facilities of the home. The medical director shall have responsibility for  
16 the medical, surgical and outpatient facilities and shall make recommendations to the  
17 superintendent regarding the appointments of all physicians, nurses and other medical staff.

18 SECTION 2. Section 16 of chapter 15A of the General Laws, as so appearing, is hereby  
19 amended by striking out the ninth paragraph and inserting in place thereof the following  
20 paragraph:-

21 There shall be a Public Service Scholarship Program to provide scholarships to the  
22 following eligible recipients: (i) children and widowed spouses of Massachusetts police officers,  
23 firefighters and correction officers, who are killed or died from injuries received while in the  
24 performance of their duties, including authorized training duty; (ii) children of prisoners of war  
25 or military or service persons missing in action whose wartime service is credited to the  
26 commonwealth; and (iii) children of veterans whose service was credited to the commonwealth  
27 and who were killed in action or otherwise died as a result of such service. Such scholarships  
28 shall be awarded by the council pursuant to its guidelines established to govern this program and  
29 shall go to those persons referenced above who are admitted to an institution of higher education  
30 in the commonwealth to pursue undergraduate studies. The guidelines shall include, but not be  
31 limited to, a waiver of mandatory fees.

32 SECTION 3. Section 26 of chapter 31 of the General Laws, as so appearing, is hereby  
33 amended by inserting after the word “honor”, in line 25, the following words:- , distinguished  
34 service medal, or silver star medal.

35 SECTION 4. Section 59 of chapter 33 of the General Laws, as so appearing, is hereby  
36 amended by striking out, in line 5, the word “annual” and inserting in place thereof the following  
37 words:- service in the uniformed services, annual.

38 SECTION 5. Said section 59 of said chapter 33, as so appearing, is hereby further  
39 amended by adding the following 2 subsections:-

40 (e) An employee of the commonwealth in a reserve component of the armed forces of the  
41 United States ordered to service for more than 30 consecutive days shall be paid the regular base  
42 salary as a public employee for each pay period of such military leave of absence, reduced by  
43 any amount received either from the United States or the commonwealth as base pay for military  
44 service performed during the same pay period, and shall not lose any seniority or any accrued  
45 vacation leave, sick leave, personal leave, compensation time or earned overtime.

46 (f) For the purposes of this section, uniformed services shall have the same  
47 meaning as defined in section 13.

48 SECTION 6. Section 5 of chapter 59 of the General Laws, as so appearing, is hereby  
49 amended by striking out clause Twenty-second D and inserting in place thereof the following  
50 clause:-

51 Twenty-second D, Real estate to the full amount of the taxable valuation of real property  
52 of the surviving spouses of soldiers and sailors, members of the National Guard and veterans  
53 who, during active duty service, suffered an injury or disease documented by the United States  
54 Department of Veterans Affairs or a branch of the armed forces, which was a proximate cause of  
55 their death, or who are missing in action with a presumptive finding of death, as a result of active  
56 duty service as members of the armed forces of the United States; provided, that the real estate

57 is occupied by the surviving spouse as a domicile; and provided further, that the surviving spouse  
58 has been domiciled in the commonwealth for 5 consecutive years next before the date for filing  
59 for exemption pursuant to this clause or the soldier or sailor, member of the National Guard or  
60 veteran was domiciled in Massachusetts for at least 6 months before entering service.

61 Such exemption shall be available until such time that the surviving spouse dies or  
62 remarries.

63 No real estate shall be so exempt which has been conveyed to the surviving spouse to  
64 evade taxation. The amount of the exemption shall be borne by the commonwealth, and the state  
65 treasurer shall annually reimburse the city or town for the amount of the tax which otherwise  
66 would have been collected for this exemption.

67 SECTION 7. Section 5 of said chapter 59 , as so appearing, is hereby further amended by  
68 inserting after the word “paraplegics”, in line 866, the following words:- or have a disability  
69 rating of 100 per cent for service-connected blindness.

70 SECTION 8. Section 3 of chapter 115 of the General Laws, as so appearing, is hereby  
71 amended by striking out, in line 2, the words “, annually in April,”.

72 SECTION 9. Said section 3 of chapter 115 is hereby further amended by, inserting after  
73 the word “town”, in line 4, the first time it appears, the following words:- who shall serve for a  
74 term of up to 3 years and be eligible for reappointment.

75 SECTION 10. Chapter 115A of the General Laws, as so appearing, is hereby amended  
76 by adding the following section:-

77           Section 12. (a) There is hereby established within the department of veterans' services an  
78 office of state veterans' homes and housing, hereinafter referred to as the office. The office shall  
79 serve as the principal agency for providing oversight of the Soldiers' Home in Massachusetts and  
80 the Soldiers' Home in Holyoke. The commissioner of veterans' services shall appoint an  
81 executive director of the office, who shall have at least 5 years of management and healthcare  
82 experience, and whose duties shall include, but not be limited to, oversight of the office and  
83 service as an advisor to the commissioner of veterans' services on matters relative to veterans  
84 housing. The position of executive director of the office shall be classified pursuant to 45 of  
85 chapter 30. The executive director may, with the approval of the commissioner of veterans'  
86 services, appoint and remove any employees necessary to carry out the duties of the office.  
87 Unless otherwise provided by law, all appointments and removals shall be made under chapter  
88 31. The office shall have the following duties: (1) coordinate and oversee implementation and  
89 enforcement of laws, regulations and policies relative to the state's veterans' homes; and (2)  
90 investigate and make recommendations on best practices for providing housing for veterans in  
91 the commonwealth. The executive director shall meet with the board of trustees of the Soldiers'  
92 Home in Massachusetts and the Soldiers' Home in Holyoke jointly at least twice per calendar  
93 year.

94           (b) The office shall annually, on or before November 1, submit a report to the general  
95 court on the state of the soldiers' homes. The report shall include findings relative to the  
96 following: (1) the quality of care provided at the homes; (2) the financial status of the homes; (3)  
97 the uniformity of programs at the homes; (4) capital needs of the homes; and (5) the status of  
98 U.S. Department of Veteran Affairs accreditation, the efforts needed to maintain compliance and  
99 the efforts needed to become fully compliant with the federal department of veterans affairs

100 standards at each soldiers' home. The report shall also include an analysis of activities of the  
101 office, including a summary of activities undertaken to implement uniform intake policies and  
102 procedures, patient and resident eligibility requirements, and rate-setting functions between both  
103 the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke. The office shall  
104 submit the report to the governor, and the clerks of the house of representatives and the senate,  
105 who shall forward the same to the joint committee on veterans and federal affairs, the joint  
106 committee on public health and the joint committee on housing. Nothing in this section shall be  
107 construed as to supersede sections 40, 41, 70 and 71 of chapter 6.

108 SECTION 11. The third paragraph of section 32 of chapter 121B of the General Laws, as  
109 appearing in the 2014 Official Edition, is hereby amended by adding the following sentence:-  
110 Notwithstanding any general or special law to the contrary, in communities where low-income  
111 family housing developed pursuant to chapter 200 of the acts of 1948 does not exist, preference  
112 in admission shall be given to veterans for all scattered site housing units acquired by a local  
113 housing authority pursuant to chapter 705 of the acts of 1966.

114 SECTION 12. The fifth paragraph of said section 32 of said chapter 121B, as so  
115 appearing, is hereby amended by striking out the second sentence and inserting in place thereof  
116 the following sentence:- In determining the net income for the purpose of computing the rent of a  
117 totally unemployable disabled veteran, a housing authority shall exclude amounts of disability  
118 compensation paid by the United States government for disability occurring in connection with  
119 military service in excess of \$1800; provided, that such authorization shall apply only in state-  
120 aided projects as provided in sections 35 and 36.

121 SECTION 13. Section 39 of said chapter 121B, as so appearing, is hereby amended by  
122 striking out the sixth paragraph and inserting in place thereof the following paragraph:-

123 Among persons who are eligible and qualified for housing pursuant to this section, a  
124 preference shall be given to veterans.

125 SECTION 14. Section 40 of said chapter 121B, as so appearing, is hereby amended by  
126 striking out subsection (d) and inserting in place thereof the following subsection:-

127 (d) In all housing for elderly persons of low income and handicapped persons of low  
128 income there shall be a preference in admission for eligible and qualified applicants who are  
129 veterans.

130 SECTION 15. Section 4 of chapter 151B of the General Laws, as so appearing, is hereby  
131 amended by striking out, in lines 5 and 6, the words "or ancestry and inserting in place thereof  
132 the following words:- ancestry or status as a veteran.

133 SECTION 16. Section 17 of chapter 260 of the acts of 2006 is hereby repealed.

134 SECTION 17. Chapter 62 of the acts of 2014 is hereby amended by striking out section  
135 29 and inserting in place thereof the following section:-

136 Section 29. (a) There is hereby established the Massachusetts Post-Deployment  
137 Commission to make recommendations regarding the implementation of a program in  
138 Massachusetts to support service members transitioning to civilian life after deployment.

139 (b) The department of veterans' services shall convene a commission consisting of 17  
140 members appointed by the governor; 2 of whom shall be members of Red Sox Foundation and  
141 Massachusetts General Hospital Home Base Program; 2 of whom shall be veterans agents as

142 defined in section 1 of chapter 115 of the General Laws; 2 of whom shall be members of the  
143 Massachusetts Coalition for Suicide Prevention; 2 of whom shall be members of the  
144 Massachusetts Psychological Association; 1 of whom shall be a member of the board of directors  
145 of the Massachusetts Association of Realtors; and 1 whom shall be the president of Soldier On,  
146 Inc., or a designee.

147 (c) The secretary of veterans' services shall be the chair of the commission. The  
148 members of the commission shall elect a vice chair at their first meeting.

149 (d) The commission shall perform, and make recommendations pertaining to how best to  
150 operationalize and quantify, the following duties which may include, but shall not be limited to:

151 (i) examining and evaluating the effectiveness of veterans' suicide prevention policies; (ii)  
152 examining and evaluating the effectiveness of resilience training for veterans' personnel; (iii)  
153 developing recommendations on ways in which veterans' support service needs may be promptly  
154 assessed upon return from deployment; (iv) developing recommendations for methods by which  
155 the commonwealth may identify, evaluate and refer service members returning to civilian life  
156 post-deployment for assistance with education, employment, healthcare, housing and other  
157 services; (v) providing recommendations for improving communication between mental health  
158 support services and veterans who may benefit from such services; (vi) developing  
159 recommendations for providing mental health counseling services to combat the effects of post-  
160 traumatic stress injuries for post-deployment veterans; and (vii) providing recommendations on  
161 improving health access assistance, including analyzing: (1) barriers prohibiting veterans from  
162 receiving coverage upon their residency in the commonwealth; (2) tools to educate active duty  
163 members who intend to reside in the commonwealth on their ability to acquire health care  
164 coverage in the commonwealth; (3) the resources available to military members to help afford

165 coverage upon discharge; and (4) the needs of women veterans relative to issues including, but  
166 not limited to, compensation, rehabilitation, outreach, health care, education and other issues  
167 facing women veterans in the community. The commission may hold public hearings to assist in  
168 the collection and evaluation of data and testimony.

169 (e) The commission shall submit its findings and recommendations, including a detailed  
170 re-entry program plan relative to service members who return to civilian life after deployment,  
171 together with any recommendations for legislation by filing the same with the clerks of the house  
172 of representatives and the senate, the house and senate committees on ways and means, and the  
173 joint committee on veterans and federal affairs on or before December 31, 2017. 18. Section 29  
174 of said chapter 62 is hereby repealed.

175 SECTION 18. Subsection (b) of section 32 of chapter 62 of the acts of 2014 is hereby  
176 amended by striking out the figure “16” inserting in place thereof the figure “17”; and by adding  
177 the following words:- ; and the president of Soldier On, Inc. or a designee.

178 SECTION 19. Subsection (d) of said section 32 of said chapter 62 is hereby amended by  
179 striking out the words “April 30, 2015” and inserting in place thereof the following words:-  
180 January 30, 2018.

181 SECTION 20. Spouses of soldiers, sailors, members of the National Guard and veterans  
182 who died before or after the effective date of this act shall be eligible for the exemption  
183 established pursuant to clause twenty-second D of section 5 of chapter 59 of the General Laws;  
184 provided, however that said exemption shall only apply to tax years beginning on or after  
185 January 1, 2016.

186 SECTION 21. Section 1 of chapter 60A of the General Laws, as appearing in the 2014  
187 Official Edition, is hereby amended by striking out the eighth paragraph and inserting in place  
188 thereof the following paragraph:—

189 The excise imposed by this chapter shall not apply to a motor vehicle owned and  
190 registered by or leased to a resident who is in active and full-time military service as a member in  
191 the armed forces of the United States or the national guard, army or air, of any state, and has  
192 been deployed or stationed outside the territorial boundaries of the commonwealth for a period of  
193 at least 45 days in the calendar year of the exemption. If the military member is wounded or  
194 killed in an armed conflict, he shall not be subject to the foregoing period of service qualification  
195 for the calendar year in which he is wounded or killed. This exemption shall apply only to a  
196 motor vehicle owned and registered by or leased to a military member in his own name or jointly  
197 with a spouse for a non-commercial purpose and a military member may qualify for this  
198 exemption for only 1 motor vehicle for each calendar year.

199 SECTION 22. Chapter 2 of the General Laws is hereby amended by adding the following  
200 section: Section 62. The Gold Star Families Memorial Monument located in Bicentennial Park in  
201 the city of Fall River shall be the official Gold Star Families Memorial Monument of the  
202 commonwealth.

203 SECTION 23. Section 2 of chapter 90, as appearing in the 2014 Official Edition, is  
204 hereby amended by inserting, after line 523, the following new paragraph:-

205 The registrar shall recognize the eligibility of the next of kin of a member of the military,  
206 in possession of a Gold Star Lapel Button, under regulations prescribed by the United States  
207 Secretary of Defense, to obtain a “Gold Star Family” registration plate. Possession of a Gold Star

208 Lapel Button and a letter of approval, both issued by the United States Department of Defense,  
209 shall be sufficient proof of eligibility for the registrar to furnish a Gold Star Family registration  
210 plate. The possession of a Gold Star Lapel Button shall not be a requirement of eligibility for  
211 persons who have otherwise presented satisfactory evidence of Gold Star family member status  
212 as determined by the registrar.

213 SECTION 24. Chapter 60 of the General Laws is hereby amended by inserting after  
214 section 35 the following section:-

215 Section 35A. (a) No municipality shall publish or cause to be published the name, or  
216 other individually identifying information, of a veteran still owing a tax pursuant to this chapter  
217 after it has become due and payable.

218 (b) A municipality may communicate through the municipality's veterans' agent in order  
219 to provide notice and information related to a tax due and payable under this chapter to the  
220 veteran owing such tax.

221 SECTION 25. Section 21 of chapter 62C of the General Laws, as appearing in the 2012  
222 Official Edition, is hereby amended by inserting after the word "taxpayers", in line 70, the  
223 following words:- ; provided, however, that the name and address of a veteran shall not be  
224 published as part of said list.

225 SECTION 26. The Department of corrections and the executive office of health and  
226 human services shall study the feasibility and costs associated with transporting incarcerated  
227 disabled veterans that are eligible for treatment through the federal department of veterans affairs  
228 to medical facility operated by the department of veterans affairs.

229 SECTION 27. Any city, town or district in the Commonwealth may, subject to the  
230 approval of the city, town or district's legislative body, designate a place on its municipal  
231 property tax bills or motor vehicle excise tax bills or mail with such tax bills a separate form  
232 whereby taxpayers of the city, town or district can voluntarily check off, donate, and pledge an  
233 amount of money which shall increase the amount already due to a fund under the supervision of  
234 the local veterans agent, the board or officer in charge of the collection of the municipal charge,  
235 fee or fine, or the town collector of taxes.

236 The purpose of this fund is to provide support for veterans and their dependents in need  
237 of immediate assistance with food, transportation, heat, and oil expenses. The city, town or  
238 district's Veterans Services Department shall a) establish an application process for veterans and  
239 their dependents to obtain assistance; b) establish standards for acceptable documentation of  
240 veteran status or dependent status; and c) establish financial eligibility criteria for determining  
241 need and amount of assistance for eligible applicants. It shall be responsible for reviewing each  
242 applicant, and fairly applying these eligibility and level of need standards.