The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 6, 2022.

The committee on Ways and Means, to whom was referred the Senate Bill relative to military spouse-licensure portability, education and enrollment of dependents (Senate, No. 2559), reports recommending that the same ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4978.

For the committee,

AARON MICHLEWITZ.
By striking out all after the enacting clause and inserting in place thereof the following:—

SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section 15 MMMMM the following 4 sections:

Section 15 NNNNNN. The governor shall annually set apart June 14, the anniversary of the founding of the United States Army, in recognition of the distinguished patriotic services rendered by that organization, and by the citizens of the commonwealth who so gallantly served, and shall issue a proclamation recommending that the day be observed by the people in the display of the flag and in appropriate public exercises, commemorative of the services and sacrifices of the citizens of the commonwealth who have served and continue to serve in the defense of the United States.

Section 15 OOOOOO. The governor shall annually set apart September 18, the anniversary of the founding of the United States Air Force, in recognition of its distinguished history of service as a projector of American air power in support and defense of the nation, and by the citizens of the commonwealth who so gallantly served, and shall issue a proclamation recommending that the day be observed by the people in the display of the flag and in
appropriate public exercises, commemorative of the services and sacrifices of the citizens of the commonwealth who have served and continue to serve in the defense of the United States.

Section 15PPPPPP. The governor shall annually set apart December 13, the anniversary of the founding of the National Guard, in recognition of its role as an operational reserve of the United States Army and Air Force, providing ready, well-equipped personnel and equipment to support the federal military mission when called upon by the President and the governor of the commonwealth to respond to domestic emergencies, and by the citizen soldiers and airmen of the commonwealth who have unfailingly answered the call of duty, and shall issue a proclamation recommending that the day be observed by the people in the display of the flag and in appropriate public exercises, commemorative of the services and sacrifices of the citizens of the commonwealth who have served and continue to serve in the defense of the United States.

Section 15QQQQQQ. The governor shall annually set apart August 4, the anniversary of the founding of the United States Coast Guard, in recognition of its distinguished history and seagoing service, and shall issue a proclamation recommending that the day be observed by the people in the display of the flag and in appropriate public exercises, commemorative of the services and sacrifices of the citizens of the commonwealth who have served and continue to serve in the defense of the United States.

SECTION 2. The first paragraph of section 9 of chapter 15A of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out clause (t) and inserting in place thereof the following clause:-(t) issue regulations defining resident of the commonwealth and proof of the same for the purpose of admission and tuition expenses of public institutions of higher education and prepare uniform proofs of residence to be used by all
public institutions; provided, however, that insofar as the Massachusetts Maritime Academy is
designated a regional maritime academy by the United States Maritime Administration, residents
of the states comprising the designated region and attending the Massachusetts Maritime
Academy shall be considered Massachusetts residents for the purposes of admission and tuition;
and provided further, that a person who is: (i) a member of the armed forces of the United States
and stationed in the commonwealth on active duty pursuant to military orders; (ii) the spouse of a
person who is a member of the armed forces of the United States and stationed in the
commonwealth pursuant to military orders; or (iii) an unemancipated person whose parent or
guardian is a member of the armed forces of the United States and stationed in the
commonwealth pursuant to military orders, shall be considered a Massachusetts resident for the
purposes of admission and tuition.

SECTION 3. Said chapter 15A is hereby further amended by inserting after section 19½
the following section:-

Section 19¾. A person who is a member of the armed forces of the United States and
stationed in the commonwealth pursuant to military orders shall be entitled to classification as an
in-state student. Such a person shall not lose classification as an in-state student due to being
transferred on military orders, being honorably discharged or retiring while the person is residing
in the commonwealth after their acceptance for matriculation at a constituent unit of the state
system of higher education in a course of study leading to an associate, bachelor or post-graduate
degree.

The spouse of a person who is a member of the armed forces of the United States and
stationed in the commonwealth pursuant to military orders shall be entitled to classification as an
in-state student. Such a spouse shall not lose classification as an in-state student due to the
member being transferred on military orders, being honorably discharged, retiring or dying while
the spouse is residing in the commonwealth after the spouse’s acceptance for matriculation at a
constituent unit of the state system of higher education in a course of study leading to an
associate, bachelor or post-graduate degree.

An unemancipated person whose parent or guardian is a member of the armed forces of
the United States and stationed in the commonwealth pursuant to military orders shall be entitled
to classification as an in-state student. Such a person shall not lose classification as an in-state
student due to their parent or guardian being transferred on military orders, being honorably
discharged, retiring or dying while: (i) the person is in continuous attendance toward the degree
for which the person is currently enrolled; or (ii) the person is residing in the commonwealth
after their acceptance for matriculation at a constituent unit of the state system of higher
education in a course of study leading to an associate, bachelor or post-graduate degree.

SECTION 4. Chapter 23K of the General Laws is hereby amended by inserting after
section 20 the following section:-

Section 20A. (a) As used in this section, the following words shall, unless the context
clearly requires otherwise, have the following meanings:

“Limited slot machine establishment”, the premises owned or leased by a veterans’
organization for use by its members in good standing.

“Limited slot machine license”, a gaming license issued by the commission that permits a
veterans’ organization to operate a gaming establishment with no table games and not more than
5 slot machines at a limited slot machine establishment.
“Limited slot machine licensee” or “licensee”, a veterans’ organization that holds a limited slot machine license for its limited slot machine establishment.

“Local licensing authority”, the local licensing authority in the city or town in which the limited slot machine establishment is located.

“Veterans’ organization”, any veterans’ organization that is: (i) incorporated by the Congress of the United States; and (ii) included in section 4E of chapter 9.

(b) The commission may issue a limited slot machine license to veterans’ organizations in the commonwealth.

A limited slot machine license shall only be issued to a veterans’ organization that: (i) has been organized and actively functioning as a veterans’ organization for not less than 5 years prior to being issued a license; (ii) has received the approval of the local licensing authority; and (iii) has been deemed suitable and qualified pursuant to regulations adopted by the commission pursuant to subsection (l).

No limited slot machine license issued to a veterans’ organization pursuant to this section shall be transferred or assigned.

(c) A limited slot machine license issued by the commission pursuant to this section may be suspended or revoked at the discretion of the commission or upon written request to the commission by the local licensing authority. The suspension or revocation of a license issued pursuant to this section may be appealed by the limited slot machine licensee to the full commission, and the commission shall hear the appeal on the record. The decision rendered by the commission after the hearing shall be final and the licensee shall not be entitled to further
review; provided, however, that in the case of a license revocation, the licensee shall be entitled to reapply for a license not less than 5 years from the date in which the final decision of the commission was issued.

(d) A limited slot machine licensee shall limit the promotion and operation of, and access to, slot machines to members in good standing of the veterans’ organization; provided, that no member of the veterans’ organization holding a limited slot machine license shall receive remuneration in any form for time or effort devoted to the promotion or operation of the slot machines. No member of the general public shall be permitted access to any slot machine in a limited slot machine establishment.

(e) The profits of any slot machines shall be the property of the limited slot machine licensee, and shall be used for charitable, fraternal or civic purposes, including, but not limited to, veterans’ benefits.

(f) A limited slot machine license issued pursuant to this section shall be valid for a period of 5 years. The commission shall establish procedures for application and renewal and may establish a fee for application or renewal not to exceed $500. Application and renewal fees shall be deposited into the Gaming Revenue Fund established in section 59.

(g) Each licensee shall keep accurate records and books showing: (i) the total amount of all monies deposited by members in good standing of the veterans’ organization who played the slot machines located in the limited slot machine establishment; (ii) the expenses incurred; and (iii) the name and address of each person receiving greater than $100 in winnings in a 24-hour period. A separate checking account shall be kept of receipts and expenditures. Money for expenses shall be withdrawn only by checks having preprinted consecutive numbers and made
payable to a specific person or corporation. No check shall be made payable to cash. All monies
expended for said charitable, fraternal or civic purposes shall be duly and accurately recorded as
to specific amounts expended and the purposes for which said amounts were expended. Proceeds
from the operation of the slot machines shall be kept in a separate bank account and the licensee
shall file an annual report on or before December 31 of each year of the charitable, fraternal and
civic disbursements made during the preceding year with the commission and the local licensing
authority in such form as the commission may prescribe. Such annual report shall be a public
record. The commission and the local licensing authority, or their duly authorized agents or
representatives, shall at all times have access to the limited slot machine establishment, as well
as the records and books of any licensee for the purpose of examining and checking the same.

(h) Each licensee shall file a return with the commission, on a form prepared by the
commission, and shall pay therewith a tax of 5 per cent of the gross profits derived from the slot
machines located in the limited slot machine establishment, which shall be deposited into the
Gaming Revenue Fund established in section 59.

(i) No person under 21 years of age shall be permitted in that portion of any building or
premises of the licensee during such time as a slot machine is being played.

(j) A limited slot machine establishment shall keep conspicuously posted on their
premises a notice containing the following statement: “If you or someone you know has a
gambling problem and wants help, call the Massachusetts Council on Gaming and Health on the
Safer Gaming Education Line at 1-800-426-1234 or the Massachusetts Department of Public
Health helpline at 1-800-327-5050.”
(k) Limited slot machine licensees shall only acquire slot machines from a person licensed as a gaming vendor under section 31.

(l) The commission shall, consistent with the public objectives of this chapter established in section 1, promulgate regulations for the implementation, administration and enforcement of this section including, without limitation, regulations that prescribe: (i) the method and form of application that an applicant for licensure shall follow and complete before consideration by the commission; (ii) the information to be furnished by an applicant for a limited slot machine license or for the renewal of a limited slot machine license; (iii) suitability standards for applicants for licensure pursuant to this section; (iv) the criteria for evaluation of the application for a limited slot machine license and qualifications for licensure pursuant to this section; (v) the information to be furnished by a veterans’ organization relating to the members of the veterans’ organization tasked with managing the slot machines; (vi) criteria for eligibility for licensure under this section; (vii) conditions on the operation and control of a limited slot machine establishment; and (viii) grounds and procedures for the revocation or suspension of a limited slot machine license.

SECTION 5. Chapter 33 of the General Laws is hereby amended by inserting after section 67A the following section:-

Section 67B. There shall be a Massachusetts medal of fidelity to be presented to the next of kin of a service member or veteran who died as the result of combat-related post-traumatic stress disorder or a service-connected disease, condition or injury related to the exposure to harmful toxins, herbicides, agents or materials, where the exposure occurred while serving in the armed forces of the United States, active or reserve components, or the Massachusetts national
guard. A service member must have entered military service or state active duty from the commonwealth, have been a resident of the commonwealth at the time of death or have been a member of the Massachusetts national guard at the time of death. To be eligible, a service member or veteran must have served after December 6, 1941. The adjutant general or designee and 2 field grade officers of the armed forces of the commonwealth detailed by the commander-in-chief shall constitute a commission to make recommendations to the commander-in-chief for the awarding of the Massachusetts medal of fidelity.

SECTION 6. Said chapter 33 is hereby further amended by inserting after section 137 the following section:-

Section 137A. (a) For the purposes of this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Availability of seats”, vacancies that exist in a course after the enrollment of all tuition-paying students and all students who are enrolled under any scholarship or tuition waiver provisions.

“Dependents”, immediate family members of a member who are enrolled in the Defense Enrollment Eligibility Reporting System in connection with the member.

“Member”, a Massachusetts army or air national guard member eligible pursuant to subsection (d).

(b) There shall be a Massachusetts national guard family education program. The program shall be administered by the military division and shall allow qualified members pursuant to subsection (d) to transfer tuition benefits pursuant to section 137 to their dependents.
(c)(1) The Massachusetts national guard family education program may issue a certificate of exemption from the matriculation fee and tuition to specified dependents of members enrolled in a program at any public institution of higher education pursuant to section 5 of chapter 15A and who are qualified as provided in this section, the cost of which shall be borne by the commonwealth. The credit total of tuition benefits shall not exceed 130 semester hours per member, including hours transferred to a member’s dependents.

(2) The military division shall maintain a record of tuition and fee credit totals of each member, including semester hours per member.

(3) Dependents shall use their specified credit allotment within 10 years of member separation from service or by the age of 26, whichever date is later.

(d) Unless a member has more than 20 years of military service, to be eligible for the program the member shall: (i) extend their current service obligation or reenlist for national guard education assistance program benefits pursuant to section 137 after completing their initial 6-year military service obligation to the Massachusetts army or air national guard; (ii) be eligible to serve an additional 6-year enlistment from the date of extension or reenlistment; (iii) be in good standing and a satisfactory participant in the Massachusetts army or air national guard; and (iv) have not previously used the maximum tuition benefits pursuant to section 137.

(e) Members may split their national guard education assistance program tuition benefits, pursuant to section 137, between dependents. The combined total of semester hours for members and their dependents shall not exceed 130 semester hours total.

(f) Enrollment of a dependent in a course at any public institution of higher education shall be subject to the availability of seats.
SECTION 7. Chapter 71 of the General Laws is hereby amended by inserting after section 6A the following section:-

Section 6B. (a) As used in this section, “military-connected student” shall mean a student who is an unemancipated person whose parent or guardian: (i) is in the active military service of the United States; or (ii) full-time status during active service with the National Guard of any state.

(b) A military-connected student whose parent or guardian is being relocated to the commonwealth under military orders and is transferred to, or is pending transfer to, a military installation within the commonwealth shall be deemed a resident pupil of the applicable school district for the purposes of enrollment. A school district shall permit a military-connected student to enroll preliminarily by remote registration without charge and shall not require a parent or guardian of the military-connected student or the military-connected student to physically appear at a location within the district to register the student; provided, however, that a parent or guardian of a military-connected student shall present evidence of military orders that the parent or guardian will be stationed in the commonwealth during the current or following school year. To enroll a student, the parent or guardian shall use an address that: (i) is within the school district where the military-connected student is to be enrolled; and (ii) is either: (A) a temporary on-base billeting facility; (B) a purchased or leased home or apartment; or (C) federal government or public-private venture off-base military housing. Proof of residency shall not be required at the time of the remote registration but shall be required not later than 10 days of the military-connected student’s attendance in the school district.
SECTION 8. The first paragraph of section 38G of said chapter 71, as appearing in the 2020 Official Edition, is hereby amended by inserting after the definition of “Board” the following definition:—

“Military spouse certificate”, a license to teach that the commissioner of education may issue to a person who: (i) is the spouse of a service member in the armed forces of the United States, a reserve unit of the armed forces of the United States or the national guard of another state, serving in the commonwealth or in a bordering state while residing in the commonwealth; and (ii) holds a valid teaching certificate from another state in good standing but has not satisfied the certification testing requirements in this section. A military spouse certificate shall be valid for not less than 3 years. Service under a military spouse certificate shall be counted as service in acquiring professional teacher status, contingent upon the teacher passing the applicable certification tests necessary for acquiring professional teacher status.

SECTION 9. Said section 38G of said chapter 71, as so appearing, is hereby further amended by inserting after the word “temporary,” in line 63, the following words:— military spouse.

SECTION 10. Section 94 of said chapter 71, as so appearing, is hereby amended by adding the following subsection:—

(u) For the purposes of this section, an unemancipated person whose parent or guardian is a member of the armed forces of the United States shall be considered a resident of the commonwealth and a resident of the applicable school district if: (i) the member is being relocated to or within the commonwealth under military orders and is transferred to or is pending transfer to a military installation in the commonwealth; or (ii) the unemancipated person was
previously enrolled in high school in the commonwealth and does not reside in the
commonwealth due to the person’s parent’s or guardian’s military deployment or transfer.

SECTION 11. Said chapter 71 is hereby further amended by adding the following

section:-

Section 99. (a) For the purposes of this section, “military-connected student” shall mean a
student who is an unemancipated person whose parent or guardian is: (i) a current, reserve or
former member of the United States Army, United States Navy, United States Marine Corps,
United States Coast Guard, Army Nurse Corps, Navy Nurse Corps, United States Air Force, Air
National Guard or Army National Guard; or (ii) a member of a military or reserve force under
clause (i) who was killed in the line of duty.

(b) The department shall designate a school as a Purple Star Campus if the school applies
and qualifies for the designation under this section.

(c) To qualify as a Purple Star Campus, a school shall:

(i) designate a staff member as a military liaison, whose duties shall include: (A)
identifying military-connected students enrolled at the school; (B) serving as the point of contact
between the school and military-connected students and their families; (C) determining
appropriate school services available to military-connected students; and (D) assisting in
coordinating school programs relevant to military-connected students;

(ii) maintain on the school internet website an easily accessible webpage that includes
resources for military-connected students and their families, including information regarding:
(A) school relocation, enrollment and registration, including the transferring of records; (B)
academic planning, course sequences and advanced classes available at the school; and (C)
counseling and other support services available for military-connected students enrolled at the
school;

(iii) maintain a transition program led by students, where appropriate, that assists
military-connected students in transitioning into the school;

(iv) offer professional development for staff members on issues related to military-
connected students; and

(v) offer at least 1 of the following initiatives: (A) a resolution showing support for
military-connected students and their families; (B) recognition of the Month of the Military
Child or Military Family Month with relevant events hosted by the school; or (C) a partnership
with a local military installation that provides opportunities for active-duty military members to
volunteer at the school, speak at an assembly or host a field trip.

(d) To comply with subsection (c), a school may partner with the school district to
provide: (i) an internet website required under said subsection (c) if the school does not have an
internet website; (ii) professional development required under said subsection (c); or (iii) an
initiative required under said subsection (c).

(e) The department shall promulgate rules and regulations necessary to implement this
section.

SECTION 12. Chapter 111 of the General Laws is hereby amended by adding the
following section:-
Section 244. (a)(1) The commissioner, in consultation with the commissioner of veterans’ services and the adjutant general of the Massachusetts national guard, shall develop, and update as necessary, written educational materials about the health effects associated with chemicals identified at open burn pits in overseas military deployments. Such written educational materials shall include, but not be limited to: (i) symptoms associated with exposure to open burn pits during overseas military deployment; (ii) treatment of conditions associated with exposure to open burn pits during overseas military deployment; (iii) information regarding the U.S. Department of Veterans Affairs’ Airborne Hazards and Open Burn Pit Registry, including eligibility requirements, deployment locations and dates and resources that assist with the registration process; and (iv) contact information for the U.S. Department of Veterans Affairs’ Airborne Hazards and Open Burn Pit Registry.

(2) The commissioner shall monitor the most current published epidemiological studies and recommendations, pursuant to 38 U.S.C. section 527, and developments in the study and treatment of conditions associated with exposure to toxic airborne chemicals and fumes caused by open burn pits.

(3) The commissioner, in consultation with appropriate professional licensing boards and professional membership associations, shall ensure the information pursuant to this section is made available to all appropriate licensed health care providers in the commonwealth.

(b) The commissioner, in consultation with the commissioner of veterans’ services and the adjutant general of the Massachusetts national guard, shall prepare and update as necessary an informational pamphlet that shall include, but not be limited to, the health effects of exposure to open burn pits, how to participate in the U.S. Department of Veterans Affairs’ Airborne
Hazards and Open Burn Pit Registry and resources that can assist with the registration process. The commissioner of veterans’ services and the adjutant general of the Massachusetts national guard shall distribute the informational pamphlet to organizations chosen by the commissioner of veterans’ services and adjutant general of the Massachusetts national guard, including veteran service offices and veteran organizations. Veteran service officers shall receive training to assist with the implementation of this section.

(c) The informational pamphlet required in subsection (b) shall be made available on the department’s website and the department of veterans’ services’ website.

SECTION 13. Section 1B of chapter 112 of the General Laws, as amended by section 48 of chapter 39 of the acts of 2021, is hereby further amended by striking out subsections (d) and (e) and inserting in place thereof the following 2 subsections:-

(d) Notwithstanding any general or special law to the contrary, the commissioner of public health and each of the boards of registration and examination under the supervision of the commissioner shall, upon presentation of satisfactory evidence by an applicant for certification or licensure, expedite the issuance of a license or certification to an applicant: (i) who is certified or licensed in a state other than the commonwealth; (ii) whose spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of a military transfer to the commonwealth; and (iv) who left employment to accompany the person’s spouse to the commonwealth. The procedure shall include, but not be limited to, not later than 30 days following the receipt of an application: (i) issuing the applicant a license or certificate; (ii) issuing the applicant a temporary license or certificate to allow the applicant to perform services while completing any specific requirements that may be required in the commonwealth but were
not required in the state in which the applicant was licensed or certified; (iii) providing
notification to the applicant that the applicant’s experience does not satisfy the requirements for
licensure and specify the criteria or requirements that the applicant failed to meet and the basis
for that determination; or (iv) providing notification to the applicant that there is insufficient
information to make the determination, specifying the needed information and outstanding
materials.

(e) Notwithstanding any general or special law to the contrary, the commissioner of the
division of occupational licensure and each of the boards of registration and examination under
the supervision of the commissioner shall, upon the presentation of satisfactory evidence by an
applicant for certification or licensure, expedite the issuance of a license or certification for the
applicant: (i) who is certified or licensed in a state other than the commonwealth; (ii) whose
spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of
a military transfer to the commonwealth; and (iv) who left employment to accompany a spouse
to the commonwealth. The procedure shall include, but not be limited to, not later than 30 days
following the receipt of an application: (i) issuing the applicant a license or certificate; (ii)
issuing the applicant a temporary license or certificate to allow the applicant to perform services
while completing any specific requirements that may be required in the commonwealth but were
not required in the state in which the applicant was licensed or certified; (iii) providing
notification to the applicant that the applicant’s experience does not satisfy the requirements for
licensure and specify the criteria or requirements that the applicant failed to meet and the basis
for that determination; or (iv) providing notification to the applicant that there is insufficient
information to make the determination, specifying the needed information and outstanding
materials.
SECTION 14. Said chapter 112 is hereby amended by inserting after section 84C the following section:-

Section 84D. Every licensed funeral director, or their agent or servant, before an agreement as to the price of the merchandise and service is made, shall: (i) make available to all potential clients information regarding funeral and burial benefits for veterans pursuant to sections 7 and 8 of chapter 115; and (ii) give or cause to be given to a client, a written statement verifying that the funeral director, or their agent or servant, made such information available to the potential client. The written statement pursuant to clause (ii) shall be signed by the funeral director, or their agent or servant, and the potential client before an agreement as to the price of the merchandise and service is made.

SECTION 15. Chapter 115 of the General Laws is hereby amended by inserting after section 2C the following section:-

Section 2D. (a)(1) To the extent practicable, the commissioner shall make information on civilian licensure and certification opportunities available to members of the armed forces of the United States, members of the armed forces of the commonwealth and veterans. The information shall be made available in a format that allows the member or veteran to evaluate the suitability of member’s or veteran’s military training and skills to the corresponding requirements of civilian licenses and certifications available in the commonwealth and shall include, but not be limited to, information on: (i) the civilian occupational equivalents of military or other occupational specialties based on the corresponding branch of the military; (ii) civilian license or certification requirements, including examination requirements; (iii) the availability and
opportunities for use of educational benefits; (iv) corresponding training; and (v) continuing education opportunities that provide a pathway to licensure or certification.

(2) The information required under this section shall be made available by the commissioner to members of the armed forces of the United States, members of the armed forces of the commonwealth and veterans in a manner consistent with the Transition Goals Plans Success program administered under the Transition Assistance Program pursuant to 10 U.S.C. 1144.

(b) The commissioner shall, for purposes of providing educational assistance for licensure and certification to members of the armed forces of the United States, members of the armed forces of the commonwealth and veterans, and in compliance with national security and state and federal privacy requirements, compile information related to military training and skills, including, but not limited to: (i) course training curricula and syllabi; (ii) levels of military advancement; (iii) professional skill development; and (iv) specific civilian occupational equivalents of military or other occupational specialties. To implement this section, the commissioner shall make such information available to the division of occupational licensure, the executive office of public safety and security, the department of public health, the executive office of labor and workforce development, the registry of motor vehicles and any other agency approved by the commissioner. The commissioner shall make the information publicly available on the department’s website.

SECTION 16. Said chapter 115 is hereby further amended by adding the following 2 sections:-
Section 16. (a) The commissioner, in consultation with the commissioner of public health and the adjutant general of the Massachusetts national guard, shall contact all members of the Massachusetts national guard and all known veterans and members of the U.S. armed forces residing in the commonwealth who may be eligible to participate in the U.S. Department of Veterans Affairs’ Airborne Hazards and Open Burn Pit Registry, including, but not limited, those who may have served in: (i) Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn; (ii) Djibouti, Africa, on or after September 11, 2001; (iii) Afghanistan, on or after September 11, 2001; (iv) Operation Desert Shield or Operation Desert Storm; or (v) in the Southwest Asia theater of operations on or after August 2, 1990. Veterans or service members contacted shall be encouraged to join the U.S. Department of Veterans Affairs’ Airborne Hazards and Open Burn Pit Registry and shall be provided with contact information for the U.S. Department of Veterans Affairs’ Airborne Hazards and Open Burn Pit Registry and a copy of the informational pamphlet created by the commissioner of public health pursuant to subsection (b) of section 244 of chapter 111.

(b) The commissioner shall create a database of self-identifying service members and veterans who have been exposed to open burn pits, which shall include the name, address, electronic address, phone number, location and period of service, and other information as deemed necessary. Such information shall be used only for the purposes of communicating information about exposure to toxic airborne chemicals and fumes caused by open burn pits to service members and veterans. The database, materials or other information shall be confidential and privileged, shall not be subject to chapter 66, or clause Twenty-sixth of section 7 of chapter 4 and shall not be subject to subpoena, discovery or introduction into evidence in any private civil action.
Section 17. The adjutant general of the Massachusetts national guard shall request that
the periodic health assessment for members of the Massachusetts national guard determine
whether the guard member was deployed to a location that would make the guard member
eligible to participate in the U.S. Department of Veterans Affairs’ Airborne Hazards and Open
Burn Pit Registry, and whether the guard member was exposed to open burn pits during their
deployment to said location. The adjutant general shall request that any guard member who
during their periodic health assessment is identified as having been potentially exposed to open
burn pits during a deployment is automatically registered to participate in the U.S. Department of
Veterans Affairs’ Airborne Hazard and Open Burn Pit Registry.

SECTION 17. (a) Notwithstanding any special or general law to the contrary, there is
hereby established a special legislative commission established pursuant to section 2A of chapter
4 of the General Laws to study and report on a suitable memorial to be erected to commemorate
Deborah Samson, the official heroine of the commonwealth during the War of Independence
pursuant to section 26 of chapter 2 of the General Laws.

The special commission shall: (i) promote public support and education of the importance
of Deborah Samson to the War of Independence; (ii) identify a location for a suitable memorial
to commemorate Deborah Samson; (iii) evaluate the cost of erecting and maintaining the
memorial; and (iv) evaluate the public and private resources available to erect and maintain the
memorial.

(b) The commission shall consist of the following 15 members: the chairs of the joint
committee on veterans and federal affairs, who shall serve as co-chairs; 2 members of the house
of representatives, 1 of whom shall be appointed by the speaker of the house of representatives,
and 1 of whom shall be appointed by the minority leader of the house of representatives; 2
members of the senate, 1 of whom shall be appointed by the senate president, and 1 of whom
shall be appointed by the minority leader of the senate; the commissioner of veterans’ services or
a designee; the adjutant general of the national guard of the commonwealth or a designee; and 7
members to be appointed by the governor, 1 of whom shall be a female veteran, 1 of whom shall
be a representative of the women veterans’ network in the department of veterans’ services, 1 of
whom shall be a representative of the advisory committee on women veterans established
pursuant to section 2 of chapter 115 of the General Laws, 1 of whom shall be a representative of
the Department of Massachusetts Veterans of Foreign Wars of the United States, Inc., 1 of whom
shall be a representative of the American Legion, Department of Massachusetts Inc., 1 of whom
shall be a representative of the AMVETS Department of Massachusetts Service Foundation, Inc.
and 1 of whom shall be a representative of Disabled American Veterans, Department of
Massachusetts, Inc.

(c) The commission shall submit a report of its study and recommendations, including
any drafts of legislation necessary to implement its recommendations, to the clerks of the house
of representatives and senate not later than June 1, 2023.

SECTION 18. Notwithstanding any general or special law to the contrary, on or before
October 1, 2022, the adjutant general of the national guard and the commissioner of veterans’
services shall encourage the U.S. Department of Veterans Affairs to enhance and simplify the
registration process for the Airborne Hazards and Open Burn Pit Registry by providing for: (i)
identification verification for DS Logon Level 2 access to be made available at U.S. Department
of Veterans Affairs’ community-based outpatient clinics throughout Massachusetts; (ii) the
creation of a paper registration option; and (iii) the creation of a process for a deceased veteran’s
genealogy, and (ii) the creation of a process for a deceased veteran’s
family members to participate in the Registry on behalf of said veteran.

SECTION 19. Notwithstanding any general or special law to the contrary, section 6B of
chapter 71 of the General Laws shall not affect or impair any agreement in effect upon the
effective date of this act that designates a school district for enrollment of a military-connected
student and any such agreement may be amended or renewed subsequent to the effective date of
this act.

SECTION 20. The commissioner of public health, in consultation with the commissioner
of veterans’ services and the adjutant general of the Massachusetts national guard, shall prepare
the informational pamphlet required by section 244 of chapter 112 of the General Laws, inserted
by section 12, not later than January 1, 2023.

SECTION 21. The request for deployment location related to the period health
assessment required pursuant to section 17 of chapter 115 of the General Laws, inserted by
section 16, shall take effect not later than January 1, 2023.