

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Steven S. Howitt

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 veteran health, opportunity, notification, observance and respect.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/10/2025</i>

HOUSE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3508 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to veteran health, opportunity, notification, observance and respect.

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 111 of the General Laws, as appearing in the 2022 Official Edition,
2 is hereby amended by adding the following section:-

3 Section 243. (a) The commissioner of public health, in consultation with the
4 commissioner of veterans' services and the adjutant general of the Massachusetts national guard,
5 shall develop written educational materials that provide information about health effects
6 associated with chemicals identified at open burn pits in overseas military deployments,
7 including, but not limited to: (i) symptoms associated with exposure to open burn pits during
8 overseas military deployment; (ii) information regarding the U.S. Department of Veterans
9 Affairs' Airborne Hazards and Open Burn Pit Registry and resources that can assist with the
10 registration process; (iii) information regarding the eligibility requirements for participation in
11 the Registry, including deployment locations and dates; (iv) information on participation in the

12 Registry and resources that can provide assistance with the registration process; and (v) contact
13 information for the U.S. Department of Veterans Affairs' Airborne Hazards and Open Burn Pit
14 Registry. The commissioner, in consultation with appropriate professional licensing boards and
15 professional membership associations, shall ensure the information is made available to all
16 appropriate licensed health care providers in Massachusetts.

17 (b) The commissioner, in consultation with the commissioner of veterans'
18 services and the adjutant general of the Massachusetts national guard shall: (i) monitor the most
19 current published epidemiological studies and recommendations arising as a requirement of 38
20 U.S.C. 527, as well as developments in the study and treatment of conditions associated with
21 exposure to toxic airborne chemicals and fumes caused by open burn pits; and (ii) keep record of
22 self-identifying service members and veterans who have been exposed to burn pits, that shall
23 include the name, address, electronic address, phone number, location and period of service, and
24 other information as deemed necessary. Such information shall be used only for the purposes of
25 communicating information about exposure to toxic airborne chemicals and fumes caused by
26 open burn pits to service members and veterans. The database, materials or other information
27 shall be confidential and privileged, shall not be subject to Chapter 66, or clause Twenty-sixth of
28 Section 7 of Chapter 4 and shall not be subject to subpoena, discovery or introduction into
29 evidence in any private civil action.

30 (c) On or before January 1, 2026, the commissioner, in coordination with the
31 commissioner of veterans' services and the adjutant general of the Massachusetts national guard
32 shall prepare an informational pamphlet regarding the health effects of exposure to open burn
33 pits and how to participate in the U.S. Department of Veterans Affairs' Airborne Hazards and
34 Open Burn Pit Registry and resources that can provide assistance with the registration process

35 for distribution by the commissioner of veterans services and the adjutant general of the
36 Massachusetts national guard. The informational pamphlet shall be distributed to all
37 organizations the commissioner of veterans' services and adjutant general of the Massachusetts
38 national guard see fit, including but not limited to, veteran service offices throughout the
39 commonwealth and veteran organizations. Veteran service officers shall receive training to assist
40 with the implementation of this section.

41 (d) The informational pamphlet required in subsection (c) of Section 243 of
42 Chapter 111 of the General Laws shall be made available on the department of public health's
43 website once this bill is adopted into law.

44 SECTION 2. Chapter 115 of the General Laws is hereby amended by adding the
45 following section:-

46 Section 16. (a) The commissioner of veterans' services, the commissioner of
47 public health and the adjutant general of the Massachusetts national guard, shall collaborate to
48 contact all members of the Massachusetts national guard and all known veterans and members of
49 the U.S. Armed Forces residing in Massachusetts who may be eligible to participate in the U.S.
50 Department of Veterans Affairs' Airborne Hazards and Open Burn Pit Registry. The
51 commissioner of veterans' services, the commissioner of public health and the adjutant general
52 of the Massachusetts national guard shall develop and execute a plan that ensures contact with
53 members of the Massachusetts national guard and veterans or members of the U.S. Armed
54 Forces residing in Massachusetts who may have served in the following: (i) Operation Enduring
55 Freedom, Operation Iraqi Freedom, or Operation New Dawn; (ii) Djibouti, Africa, on or after
56 September 11, 2001; (iii) Afghanistan, on or after September 11, 2001; (iv) Operation Desert

57 Shield or Operation Desert Storm; or (v) in the Southwest Asia theater of operations on or after
58 August 2, 1990.

59 (b) Veterans or service members contacted shall be encouraged to join the Registry
60 and shall be provided with: (i) contact information for the U.S. Department of Veterans Affairs’
61 Airborne Hazards and Open Burn Pit Registry; and (ii) a copy of the pamphlet created by the
62 commissioner of public health pursuant to subsection (c) of Section 243 of Chapter 111.

63 (c) Notwithstanding any general or special law to the contrary, on or before
64 September 1, 2026, the adjutant general of the national guard and the commissioner of veterans’
65 services shall encourage the U.S. Department of Veterans Affairs to enhance and simplify the
66 registration process for the Airborne Hazards and Open Burn Pit Registry by providing for: (i)
67 identification verification for DS Logon Level 2 access to be made available at U.S. Department
68 of Veterans Affairs’ community-based outpatient clinics throughout Massachusetts; (ii) the
69 creation of a paper registration option; and (iii) the creation of a process for deceased veterans’
70 family members to participate in the Registry on behalf of said veteran.

71 (d) On or before October 1, 2026, the adjutant general of the national guard shall
72 request that the periodic health assessment for members of the Massachusetts national guard to
73 determine whether the guard member was deployed to a location that would make him or her
74 eligible to participate in the U.S. Department of Veterans Affairs’ Airborne Hazards and Open
75 Burn Pit Registry, and whether the guard member was exposed to open burn pits during his or
76 her deployment to said location.

77 (e) On or before October 1, 2026, the adjutant general shall request that any
78 member of the Massachusetts national guard who during his or her periodic health assessment is

79 identified as having been potentially exposed to open burn pits during a deployment is
80 automatically registered to participate in the U.S. Department of Veterans Affairs' Airborne
81 Hazard and Open Burn Pit Registry.

82 SECTION 3. Chapter 33 of the General Laws, as so appearing, is hereby amended by
83 inserting the following section:-

84 Section 137A. (a)The Massachusetts National Guard family education program
85 (NGFEP) shall be an extension of the National Guard Education Assistance Program as outlined
86 in Section 137, to include dependents of Massachusetts Guard members when requirements are
87 met as specified.

88 (b) National Guard members may split their state sponsored 130 credit tuition and
89 fee waiver between dependents. For the purpose of this section, dependents are defined as
90 immediate family members enrolled in the Defense Enrollment Eligibility Reporting System
91 (DEERS).

92 (c) The program shall be administered by the Military Division which will maintain
93 a record of tuition and fee credit total, not to exceed 130 total credits per service member. The
94 Military Division may issue a certificate of exemption from the matriculation fee and tuition to
95 specified dependents of the Massachusetts Army or Air National Guard members enrolled at any
96 state institution, in a program the cost of which is borne by the commonwealth, and who are
97 qualified as provided in this section. Identified dependents must use their specified credit
98 allotment within ten years of service member separation or by the age of 26, whichever date is
99 later.

100 (d) To receive benefits from the program, the member must extend their current
101 service obligation or reenlist for NGFEP benefits after completing their initial 6-year military
102 service obligation to the Massachusetts National Guard. In order to be eligible, the
103 Massachusetts National Guard member must: (i) be eligible to serve an additional 6-year
104 enlistment from the date of extension or reenlistment; (ii) be in good standing and a satisfactory
105 participant in the Massachusetts National Guard; and (iii) have not previously used their 130
106 semester credit state tuition waiver.

107 (e) No combination of member and/or dependents shall receive benefits in excess of
108 130 semester credit hours total.

109 (f) Enrollment of a dependent in a course at any such institution shall be dependent
110 on the availability of seats. For the purposes of this section, "availability of seats" is defined as
111 vacancies that exist in a course after the enrollment of all tuition-paying students, and all students
112 who are enrolled under any scholarship or tuition waiver provisions.

113 SECTION 4. Chapter 6 of the General Laws, as so appearing, is hereby amended by
114 inserting after section 15MMMMMM the following 4 sections:-

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

122 Section 15000000. The governor shall annually set apart September 18, the
123 anniversary of the founding of the United States Air Force, in recognition of its distinguished
124 history of service as a projector of American air power in support in defense of the Nation, and
125 by the citizens of the commonwealth who so gallantly served, and issue a proclamation
126 recommending that the day be observed by the people in the display of the flag and in
127 appropriate public exercises, commemorative of the services and sacrifices of the citizens of the
128 commonwealth who have served and continue to serve in the defense of the United States.

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

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

144

145 SECTION XX. Chapter 60 of the General Laws, as so appearing, is hereby amended by
146 inserting after Section 35 the following section:-

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

150 (b) A municipality may communicate through the municipality's veteran service
151 officer in order to provide notice and information related to a tax due and payable under this
152 chapter to the veteran owing such tax.

153 SECTION 5. Chapter 112 of the General Laws, as so appearing, is hereby amended by
154 inserting after Section 84C the following section:-

155 Section 84D. Every licensed funeral director, or his or her agent or servant, before
156 an agreement as to the price of the merchandise and service is made, shall make available to all
157 potential clients information regarding funeral and burial benefits for veterans as set forth in
158 Section 7 and 8 of Chapter 115 and shall give or cause to be given to a client, a written statement
159 verifying that the funeral director, or his or her agent or servant, make such information available
160 to the potential client. The written statement shall be signed by the funeral director, or his or her
161 agent or servant, and the potential client before an agreement as to the price of the merchandise
162 and service is made. A funeral director who fails to comply with this section shall be punished by
163 a fine of not more than \$1,000.

164

165 SECTION 6. Chapter 23K of the General Laws is hereby amended by inserting after
166 Section 20 the following section:-

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

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

171 “Limited slot machine license”, a gaming license issued by the commission that permits a
172 veterans’ organization to operate a gaming establishment with no table games and not more than
173 5 slot machines at a limited slot machine establishment.

174 “Limited slot machine licensee”, a veterans’ organization that holds a limited slot
175 machine license for its limited slot machine establishment.

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

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

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

182 A limited slot machine license shall only be issued to a veterans’ organization that: (i) has
183 been organized and actively functioning as a veterans’ organization for not less than 5 years prior
184 to being issued a license; (ii) has received the approval of the local licensing authority; and (iii)

185 has been deemed suitable and qualified pursuant to regulations adopted by the commission
186 pursuant to subsection (l).

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

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

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

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

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

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

227 (h) Each licensee shall file a return with the commission, on a form prepared by the
228 commission, and shall pay therewith a tax of 5 per cent of the gross profits derived from the slot

229 machines located in the limited slot machine establishment, which shall be deposited into the
230 Gaming Revenue Fund established in Section 59.

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

233 (j) A limited slot machine establishment shall keep conspicuously posted on their
234 premises a notice containing the following statement: "If you or someone you know has a
235 gambling problem and wants help, call the Massachusetts Council on Gaming and Health on the
236 Safer Gaming Education Line at 1-800-426-1234 or the Massachusetts Department of Public
237 Health helpline at 1-800-327-5050."

238 (k) Limited slot machine licensees shall only acquire slot machines from a person
239 licensed as a gaming vendor under Section 31.

240 (l) The commission shall, consistent with the public objectives of this chapter established
241 in Section 1, promulgate regulations for the implementation, administration and enforcement of
242 this section including, without limitation, regulations that prescribe: (i) the method and form of
243 application which an applicant for licensure shall follow and complete before consideration by
244 the commission; (ii) the information to be furnished by an applicant for a limited slot machine
245 license or for the renewal of a limited slot machine license; (iii) suitability standards for
246 applicants for licensure pursuant to this section; (iv) the criteria for evaluation of the application
247 for a limited slot machine license and qualifications for licensure pursuant to this section; (v) the
248 information to be furnished by a veterans' organization relating to the members of the veterans'
249 organization tasked with managing the slot machines; (vi) criteria for eligibility for licensure
250 under this section; (vii) conditions on the operation and control of a limited slot machine

251 establishment; and (viii) grounds and procedures for the revocation or suspension of a limited
252 slot machine license.

253 SECTION 7. Chapter 75 of the General Laws is hereby amended by inserting after
254 Section 34A the following section:-

255 Section 34B. (a) Unless otherwise prohibited by any general or special law to the
256 contrary, the University of Massachusetts Chan Medical School shall develop a continuing
257 education program for clinical and non-clinical counselors serving institutions within the system
258 of public institutions of higher education established pursuant to Section 5 of Chapter 15A. The
259 program shall include education on the following subjects: (i) military culture and its influence
260 on service member and veteran psychology; (ii) deployment cycle stressors as they impact
261 campus life for students who are service members and veterans; (iii) outreach strategies for
262 administrative, non-clinical and clinical services; (iv) symptoms of depression, suicide,
263 deployment-related, insomnia, substance use, and post-traumatic stress disorder; and (v)
264 available resources and methods of referral.

265 (b) The University of Massachusetts Chan Medical School shall: (i) develop the
266 continuing education program, including the curriculum thereof, required by Section 34B of
267 Chapter 75 of the General Laws within 180 days after passage of this act; and (ii) conduct
268 training for clinical and non-clinical counselors serving institutions within the Commonwealth's
269 public institution of higher education within 545 days after passage of this act.

270

271 SECTION 8. Resolved, that there shall be a special commission to investigate and report
272 on a suitable memorial to be erected to commemorate Deborah Samson, the official heroine of
273 the commonwealth.

274 The special commission shall: (i) promote public support for and education on the
275 importance of Deborah Samson to the War of Independence; (ii) identify a location for a suitable
276 memorial for Deborah Samson; and (iii) evaluate the public and private resources available to
277 erect and maintain the suitable memorial.

278 The commission shall consist of: the house and senate chairs of the joint committee on
279 veterans and federal affairs, who shall serve as co-chairs; 2 additional members of the house of
280 representatives, 1 of whom shall be appointed by the minority leader of the house; 2 additional
281 members of the senate, 1 of whom shall be appointed by the minority leader of the senate; the
282 commissioner of veterans' services or a designee; the adjutant general of the commonwealth or a
283 designee; and 7 members to be appointed by the governor, 1 of whom shall be a female veteran,
284 1 of whom shall be a representative of the women veterans' network in the department of
285 veterans' services, 1 of whom shall be a representative of the advisory committee on women
286 veterans established under section 2 of chapter 115 of the General Laws, 1 of whom shall be a
287 representative of the Department of Massachusetts Veterans of Foreign Wars of The United
288 States, Inc., 1 of whom shall be a representative of The American Legion, Department of
289 Massachusetts Inc., 1 of whom shall be a representative of the AMVETS Department of
290 Massachusetts Service Foundation, Incorp. and 1 of whom shall be a representative of Disabled
291 American Veterans, Department of Massachusetts, Inc.

292 The commission shall submit a report of its investigation and recommendations,
293 including any drafts of legislation necessary to implement its recommendations, to the clerks of
294 the house of representatives and senate not later than 183 days following enactment of this
295 resolve.

296 SECTION 9. Chapter 115 of the General Laws is hereby amended by inserting after
297 Section 15 the following section:-

298 Section 16. (a) There shall be a veteran equality review board to ensure veterans
299 dishonorably discharged due to sexual orientation under 10 U.S. Code § 654, also known as the
300 don't ask, don't tell policy, receive state-based veteran benefits. The board shall consist of 5
301 voting members who, by education or experience, are knowledgeable of veterans benefits and
302 programs and have demonstrated interest in veteran affairs. A majority of the members shall be
303 veterans. 2 members shall be appointed by the Secretary of Veterans' Services, 1 member shall
304 be appointed by the Governor, 1 member shall be appointed by the Senate President and 1
305 member shall be appointed by the speaker of the house of representatives. Members shall serve
306 for 5 years. The members shall vote to select a chair. A vacancy shall be filled for the balance of
307 the unexpired term in the same manner as the original appointment. duties. A majority of the
308 appointed and serving members of the board shall constitute a quorum of the board for the
309 transaction of business. An action of the board shall be approved by a majority vote of the
310 members present at a meeting where a quorum is present. The members of the board shall serve
311 without compensation.

312 (b) The board shall meet as often as deemed necessary by the chairperson based on the
313 number of applications pending before the board. The board shall review each application

314 submitted and render a recommendation to the secretary of veterans' services as to whether the
315 veteran's sexual orientation was the reason for an other than honorable discharge. The board shall
316 review each application not later than thirty days after receipt and render a written
317 recommendation to the secretary not later than thirty days after such review.

318 (c) A veteran who received a discharge that was not honorable and who believes such
319 discharge characterization was based on such veteran's sexual orientation may file an application
320 for state-based veteran benefits. Said veteran may include evidence supporting his or her claim
321 that such discharge characterization was based on the veteran's sexual orientation.

322 (d) The department of veterans' services shall promulgate a standardized application
323 form enumerating the required documentation necessary for filing an application under this
324 subsection and shall make such form available on the department of veterans' services web site
325 along with filing instructions.

326 (e) The secretary shall issue a written decision not later than ten days after receipt of the
327 board's recommendation, approving or denying the application. If the secretary approves the
328 application, such veteran shall be eligible for state-based veteran benefits.

329 (f) If the secretary's decision is unfavorable to the veteran, the veteran may file a request
330 for reconsideration not later than thirty days after receipt of the secretary's decision. The veteran
331 may provide additional documentation for their application.