

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 elevating the National Guard to a cabinet level position.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act elevating the National Guard to a cabinet level position.

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 6A of the General Laws, as appearing in the 2022 Official Edition,
2 is hereby amended in section 2 by adding after the words “veterans’ services” the following
3 words:- “and the military division”.

4 SECTION 2. Said Chapter 6A is further amended in section 18 by striking the words:-
5 “military department”.

6 SECTION 3. Said Chapter 6A is further amended in section 18 ½ by striking the words:-
7 “military department”.

8 SECTION 4. (a) Notwithstanding any general or special law to the contrary, this section
9 shall facilitate the orderly transfer of the employees, proceedings, rules and regulations, property
10 and legal obligations and functions of state government from: (i) the executive office of public
11 safety and security, as transferor agency, to the executive office of veterans services and the
12 military division, as transferee agency; or (ii) the executive office of veterans services and the

13 military division, as transferor agency, to the executive office of public safety and security, as
14 transferee agency.

15 (b) Subject to appropriation, any employees transferred to the transferee agency,
16 including those who immediately before the effective date of this act held permanent
17 appointment in positions classified under chapter 31 of the General Laws or have tenure in their
18 positions as provided by section 9A of chapter 30 of the General Laws or did not hold such
19 tenure, or held confidential positions, are hereby transferred to the transferee agency, without
20 interruption of service within the meaning of section 9A of chapter 30, without impairment of
21 seniority, retirement or other rights of the employee, and without reduction in compensation or
22 salary grade, notwithstanding any change in title or duties resulting from such reorganization,
23 and without loss of accrued rights to holidays, sick leave, vacation and benefits, and without
24 change in union representation or certified collective bargaining unit as certified by the state
25 labor relations commission or in local union representation or affiliation. Any collective
26 bargaining agreement in effect immediately before the transfer date shall continue in effect and
27 the terms and conditions of employment therein shall continue as if the employees had not been
28 so transferred. The reorganization shall not impair the civil service status of any such reassigned
29 employee who immediately before the effective date of this act either held a permanent
30 appointment in a position classified under chapter 31 of the General Laws or had tenure in a
31 position by reason of section 9A of chapter 30 of the General Laws.

32 (c) Notwithstanding any general or special law to the contrary, all such employees shall
33 continue to retain their right to bargain collectively pursuant to chapter 150E of the General
34 Laws and shall be considered employees for the purposes of chapter 150E. Nothing in this
35 section shall confer upon any employee any right not held immediately before the date of the

36 transfer, or to prohibit any reduction of salary grade, transfer, reassignment, suspension,
37 discharge or layoff not prohibited before such date; nor shall anything in this section prohibit the
38 abolition of any management position within the executive office of public safety and security or
39 the executive office of veterans services and the military division.

40 (d) All petitions, requests, investigations, filings and other proceedings appropriately and
41 duly brought before the transferor agency, or pending before it before the effective date of this
42 act, shall continue unabated and remain in force, but shall be assumed and completed by the
43 transferee agency.

44 (e) All orders, advisories, findings, rules and regulations duly made and all approvals
45 duly granted by the transferor agency, which are in force immediately before the effective date of
46 this act, shall continue in force and shall thereafter be enforced, until superseded, revised,
47 rescinded or canceled, in accordance with law, by the transferee agency.

48 (f) All books, papers, records, documents, equipment, buildings, facilities, cash and other
49 property, both personal and real, including all such property held in trust, which immediately
50 before the effective date of this act are in the custody of the transferor agency, shall be
51 transferred to the transferee agency.

52 (g) All duly existing contracts, leases and obligations of the transferor agency, shall
53 continue in effect but shall be assumed by the transferee agency. No such existing right or
54 remedy of any character shall be lost, impaired or affected by this act.