

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**William Lantigua**

*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 passage of the accompanying bill:

An Act providing for a bonus for veterans of Operation Enduring Freedom.

PETITION OF:

NAME:

William Lantigua

DISTRICT/ADDRESS:

16th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3705 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
—————

### AN ACT PROVIDING FOR A BONUS FOR VETERANS OF OPERATION ENDURING FREEDOM.

*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. Upon application, as hereinafter provided, there shall be allowed and paid out of  
2 the treasury of the commonwealth to each person who shall have served in the armed forces of  
3 the United States in active service during operation enduring freedom who was discharged or  
4 released under honorable conditions from such service, the sums hereinafter specified; provided,  
5 that the domicile of every person on account whose service the application is filed shall have  
6 been in the commonwealth for a period of not less than six months prior to the time of his entry  
7 into the service.

- 8
- 9 1. \$500 to each such veteran who performed active service in the Operation Enduring  
10 Freedom area.
  - 11
  - 12 2. \$300 to all other such Operation Enduring Freedom veterans who were called to  
13 active service in support of said operation as members of the Army National Guard or  
14 an National Guard or as a reservist in the Armed Forces of the United States in an  
15 area other than The Operation Enduring Freedom area.
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17 SECTION 2. The words “armed forces”, as used in this act, shall mean the following:—

18  
19 United States Army, Army of the United States, United States Navy, United States Naval  
20 Reserve, United States Coast Guard, United States Coast Guard Reserve, Army Nurse Corps,

21 Navy Nurse Corps, United States Air Force and United State Air Force Reserve and including  
22 women's branches of said armed forces.

23

24 SECTION 3. Applications hereunder shall be filed with the commissioner of veterans' services  
25 upon forms to be furnished by him. The commissioner may accept the written statement of the  
26 clerk of a city or town that a person claiming pay or on whose account pay is claimed by a  
27 dependent or heir-at-law, under the provisions of this act, was domiciled therein on the first day  
28 of January, in any year, as prima facie evidence of the fact of such domicile, and he may accept  
29 such other evidence of domicile as he may consider adequate or necessary. The clerks of the  
30 several cities and towns shall, at the request of the commissioner, forthwith such information  
31 relative to such domicile as their records may disclose. The commissioner may require and  
32 accept such additional evidence as he may consider necessary to establish the fact of domicile  
33 within the commonwealth as provided under section on of this act.

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35 SECTION 4. In the case of the decease of any person who would, if alive, be entitled to benefits  
36 under this act, the sum therein shall be paid to his heirs-at-law, provided, however if there is  
37 more than 1 heir-at-law; payments shall in either case be made in such proportions as the  
38 commissioner shall determine, and in determining the order of precedence so far as practicable  
39 the following order shall be observed:— wife and children, mother or father, brother or sister,  
40 other dependents; provided, however, that no right or payment under this act shall be subject to  
41 the claims of creditors, capable of assignment, regarded as assets, legal or equitable, of the estate  
42 of the deceased or made the basis for administration thereof. In case of the decease of any  
43 person who died in active service as specified herein there shall be paid the sum of \$500 subject  
44 to and in the manner prescribed herein.

45

46 In the case of any person who is mentally incompetent and is entitled to the benefits of this act  
47 and for whom no legal guardian has been appointed by the court, the sum named therein shall be  
48 paid to his or her dependents, and in determining the order of precedence so far as practicable the  
49 following order shall be observed:—

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51 wife and children, mother or father, brother or sister, other dependents.

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53 Any person aggrieved by a decision of the commissioner in the matter of payments provided for  
54 by this act may appeal to a board to consist of a member of the department, a city or town  
55 veterans' agent appointed pursuant to section 3 of chapter 115 of the General Laws both of  
56 whom shall be designated by commissioner and the adjutant general or his designee and shall be  
57 entitled to a hearing, after due notice, upon such appeal. The decision of the board shall be final.

58

59 SECTION 5. Whoever knowingly makes a false statement, oral or written, relating to a material  
60 fact supporting a claim under this act shall be punished by a fine of not more than \$1,000 or by

61 imprisonment for not more than 3 years or both. Offenses under this act may be prosecuted by  
62 the attorney general or under his direction, in any court in the commonwealth and all fines  
63 collected thereunder shall be paid into the state treasury.