



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
 COMMUNITY DEVELOPMENT**

Mitt Romney, Governor ♦ Kerry Healey, Lt. Governor ♦ Jane Wallis Gumble, Director

**Public Housing Notice 2004-04**

MEMORANDUM

TO: All Local Housing Authorities  
 FROM: Carole E. Collins, Director, Bureau of Housing Management  
 RE: Amended Definition of Veteran  
 DATE: August 25, 2004

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Enclosed please find a copy of c. 116 of the Acts of 2004 amending clause Forty-third of chapter 4, section 7. MGL c. 121B provides that any person who is a veteran as defined in clause Forty-third of section seven of chapter four is a veteran under c. 121B. The amended definition is effective August 30, 2004 and applies to both local housing authority applicants and tenants.

Also enclosed is a chart that summarizes each of the categories of veteran according to the amended definition. You will note that the definition now includes persons having served not only during wartime but those having served during peacetime. Additionally certain National Guard service, US Coast Guard service, and American Merchant Marine service is included.

In order to apply this amended definition properly to applicants, LHAs will need to conduct an application update. Each pending family applicant not currently receiving veteran preference should be contacted and provided the opportunity to apply for veteran preference. Local resident c. 667 applicants also not currently receiving veteran preference should be contacted as well. Applicants should be provided a reasonable period of time to apply for veteran preference. (We suggest 3 weeks.) All applicant requests received by the authority by its established due date will be reviewed and if found to be a veteran under the amended definition receive veteran preference effective August 30, 2004. New control numbers should be assigned to reflect the new preference. Assignment of new control numbers should be in an order which corresponds to the order of applicants' original control number. Responses received after the due date established by the authority will be processed with new control numbers assigned based on the date of return. We have provided a form for your use when updating applicant information.

You should note that the definition of veteran includes the veteran's spouse, surviving spouse or other dependent.

DHCD's Universal Application will be revised effective August 30, 2004 to allow for all veterans to apply for veteran preference.

If you have any questions, please contact your housing management specialist.

## THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Four

## AN ACT RELATIVE TO THE DEFINITION OF A VETERAN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Clause Forty-third of section 7 of chapter 4 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by striking out the definition of "veteran" and inserting in place thereof the following definition:

"veteran" shall mean (1) any person, (a) whose last discharge or release from his wartime service as defined herein, was under honorable conditions and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States, or on full time national guard duty under Titles 10 or 32 of the United States Code or under sections 38, 40 and 41 of chapter 33 for not less than 90 days active service, at least 1 day of which was for wartime service; provided, however, that any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 90 days of active service; (2) a member of the American Merchant Marine who served in armed conflict between December 7, 1941 and December 31, 1946, and who has received honorable discharges from the United States Coast Guard, Army, or Navy; (3) any person (a) whose last discharge from active service was under honorable conditions, and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States for not less than 180 days active service; provided, however, that any person who so served and was awarded a service-connected disability or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 180 days of active service.

SECTION 2. Notwithstanding any general or special law to the contrary, no benefits provided to a veteran pursuant to chapter 115 of the General Laws or

any other benefits as provided to the veteran by the commonwealth shall be reduced or extinguished in order to effectuate this act.

House of Representatives, May 17, 2004.

Passed to be enacted,

*Peter A. Awelrath*, Speaker.

In Senate, May 27, 2004.

Passed to be enacted,

*Diana Wickerson*, President.

May 28, 2004.

Approved, at 1:15 P.M.

*Mitt Romney*  
Governor.

**DEFINITION OF MASSACHUSETTS VETERAN**  
**M.G.L. c. 4, sec. 7, cl. 43<sup>rd</sup> as amended by the Acts of 2004**  
**Effective August 30, 2004**

ERA of Service	DATES	Requirement for Veteran Status
WWI	6-Apr-1917 11-Nov-1918	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.
PEACETIME	12-Nov-1918 15-Sep-1940	180 days of regular active duty service and a last discharge or release under honorable conditions.
WWII (Merchant Marine: one day between 7-Dec-1941 through 31-Dec-1946)	16-Sep-1940 31-Dec-1946	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.
PEACETIME	1-Jan-1947 24-Jun-1950	180 days of regular active duty service and a last discharge or release under honorable conditions.
KOREA	25-Jun-1950 31-Jan-1955	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.
PEACETIME	1-Feb-1955 4-Aug-1964	180 days of regular active duty service and a last discharge or release under honorable conditions.
VIETNAM	5-Aug-1964 7-May-1975	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.
PEACETIME	8-May-1975 1-Aug-1990	180 days of regular active duty service and a last discharge or release under honorable conditions.
Lebanon Campaign*	25-Aug-1982 (to be determined later)	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.
Grenada Campaign *	25-Oct-1983 15-Dec-1983	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.
Panama Campaign *	20-Dec-1989 31-Jan-1990	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.
PERSIAN GULF	2-Aug-1990 (to be determined later)	90 days of active duty service, one (1) day of which is during "wartime" and a last discharge or release under honorable conditions.

\* Naval and Marine DD214 must indicate Expeditionary Medal. All DD214's must specify campaign: Lebanon, Granada, or Panama.

- For **GUARD MEMBERS** to qualify they must have 180 days and have been activated under Title 10 of the U.S. Code -OR- Members who were activated under Title 10 or Title 32 of the U.S. Code or Massachusetts General Laws, chapter 33, sections 38, 40, and 41 must have 90 days, at least one of which was during wartime, per the above chart.
- For **RESERVISTS** to qualify, they must have been called to regular active duty, at which point their eligibility can be determined by the above chart.

**Training Duty Exception:** Active duty service in the armed forces shall not include active duty for training in the Army or Air National Guard or active duty for training as a Reservist in the Armed Forces of the United States.

Minimum Service Exception (for Death or Disability)

It is not necessary that an applicant have completed the minimum service for wartime or peacetime campaign if he/she served some time in the campaign and was awarded the Purple Heart, or suffered a service-connected disability, or died in the service under honorable conditions.

Date of Receipt:	_____
Time of Receipt:	_____
Control Number:	_____
Priority Category:	_____
Preference Category:	_____

**Application Update for Veteran's Preference**

1. Name of Applicant: \_\_\_\_\_ Control Number: \_\_\_\_\_

Address of Current Residence: \_\_\_\_\_ Apt. No.: \_\_\_\_\_

City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Apt. No.: \_\_\_\_\_

Home Telephone: ( ) \_\_\_\_\_ Work Telephone ( ) \_\_\_\_\_

**2. Veteran's Preference:**

- a. (Only for Family Housing) You may apply for Veteran's Preference if you are a Veteran, the spouse, surviving spouse, dependent parent or child or divorced spouse with a dependent child of a Veteran.
- b. (Only for Elderly/Handicapped Housing) You may apply for Veteran's Preference if you are a Veteran who resides in this City or Town.

If you wish to apply for Veteran's Preference, list the dates of U.S. Military service. Include service dates for service in the U.S. Army, Navy, Marine Corps, Coast Guard, Air Force or National Guard.

Service Dates: From \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_

**A copy of the Veteran's Department of Defense Form DD214 must be submitted with this application.**

**SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY. I understand that a photocopy of this application and a photocopy of this signature is as valid as the original.**

Applicant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewer's signature: \_\_\_\_\_ Date: \_\_\_\_\_