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By Mr. Glaser of Malden, petition of the Massachusetts Police Association and another that provision be made for a survivors benefit under the non-contributory retirement law. Pensions and Old Age Assistance.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

### AN ACT PROVIDING FOR A SURVIVORS BENEFIT UNDER THE NON-CONTRIBUTORY PENSION SYSTEM.

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

1 Chapter 32 of the General Laws is hereby amended  
2 by inserting after section 85H the following new sec-  
3 tion:—

4 *Section 85I.* Any policeman or firefighter who is eli-  
5 gible for superannuation retirement under sections  
6 eighty to eighty-five E, inclusive, of this chapter, in  
7 effect in the city or town where he is employed, shall  
8 have the right to select on his retirement one of the fol-  
9 lowing options for the payment of his pension:—

10 *Option A.*—The maximum amount of pension pay-  
11 able under the law to such policeman or firefighter at  
12 the time of his retirement.

13 *Option B.*—A lesser amount of pension, equal to  
14 eighty and eight tenths per cent of the pension pay-  
15 able under Option A of this section, decreased by two  
16 fifths of one per cent for each year by which the member  
17 is over age sixty at the time of retirement, and further  
18 decreased by one per cent for each year by which the  
19 wife is younger than the member. This pension shall  
20 be paid to such policeman or firefighter during his life-  
21 time, with the provision that two thirds of the yearly

22 amount of such lesser pension shall after his death be  
23 paid to his widow so long as she remains unmarried;  
24 provided, that they have been married not less than  
25 five years before the date of his retirement. If a police-  
26 man or firefighter who has served continuously for not  
27 less than twenty years in any city or town where he  
28 would be eligible for a pension under said sections eighty  
29 to eighty-five E, inclusive, dies before being retired, his  
30 widow shall receive two thirds of the pension provided  
31 for under Option B of this section so long as she remains  
32 unmarried; provided, that she has been married to  
33 such policeman or firefighter not less than five years  
34 before the date of his death. This paragraph shall not  
35 apply to death in line of duty.

36 Any former policeman or firefighter who has been  
37 retired, except for disability, under the provisions of  
38 sections eighty to eighty-five E, inclusive, prior to the  
39 effective date of this section may, within six months  
40 of said effective date, file an application with the re-  
41 tiring authority of the city or town where he was re-  
42 tired to have his pension reduced to the amount pro-  
43 vided by Option B of this section. Beginning the first  
44 day of the month next following thirty days after re-  
45 ceipt of such application, his pension shall be reduced  
46 to such lesser amount for the rest of his lifetime, and  
47 upon his death two thirds of such lesser pension shall  
48 be paid to his widow so long as she remains unmarried;  
49 provided, that they were married not less than five years  
50 prior to the date of his retirement.

51 A widow of a policeman or firefighter shall not be eli-  
52 gible as a beneficiary under the provisions of this section  
53 unless they are living together at the time of his death,  
54 or living apart for justifiable cause.

55 This section shall become effective in a city having  
56 a plan E charter by the affirmative vote of a majority  
57 of all the members of the city council, and in the case  
58 of other cities by vote of the city council subject to the  
59 provisions of its charter, and in a town by a majority  
60 vote at an annual town meeting.