

# HOUSE . . . . . No. 978

By Mr. Aguiar of Swansea (by request), petition of Alfred L. Mayo and others that certain permanent members of police departments in towns who have served for twenty years be permitted to retire at three quarters of their annual compensation. Pensions and Old Age Assistance.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT PERMITTING CERTAIN PERMANENT MEMBERS OF POLICE DEPARTMENTS IN TOWNS WHO HAVE SERVED FOR TWENTY YEARS TO RETIRE WITH A PENSION OF THREE-QUARTERS OF THEIR ANNUAL COMPENSATION.

*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 by striking  
2 out section 85, as most recently amended by section 12 of chapter  
3 728 of the acts of 1960, and inserting in place thereof the fol-  
4 lowing section:—

5 *Section 85.* In any town which accepts this section prior to  
6 January first, nineteen hundred and sixty-two, or has accepted  
7 corresponding provisions of earlier laws by a two thirds vote at  
8 an annual town meeting the appropriate retirement board,  
9 established under section twenty, or if there is no such board,  
10 the selectmen, shall retire from active service and place upon  
11 the pension roll any permanent member of the police department  
12 and any permanent member of the fire department of such town  
13 found by it or them to be permanently incapacitated, mentally  
14 or physically, for useful service in the department to which he  
15 belongs, by injuries received through no fault of his own in the  
16 actual performance of his duty. Any permanent member of said  
17 fire department who has performed faithful service therein for

18 twenty-five years shall, at any time after attaining the age of  
19 sixty and before attaining the age of seventy, and any permanent  
20 member of said police department who has performed faithful  
21 service therein for twenty years shall, at any time after attaining  
22 the age of fifty-five and before attaining the age of seventy,  
23 be retired at his request and shall, on attaining the age of  
24 seventy, be retired without any request on his part, and no  
25 other permanent member of either of said departments shall  
26 remain in service after he has attained or shall attain the age  
27 of seventy. If a permanent member of the police department  
28 of such a town was, prior to the establishment of a police de-  
29 partment therein, employed in said town as a police officer by  
30 appointment under section ninety-six of chapter forty-one, the  
31 period of such appointment shall be counted as a part of his  
32 continuous service as a permanent member of its police de-  
33 partment. Every member of a fire department so retired and  
34 every member of a police department so retired for permanent  
35 incapacity shall annually receive from the town a sum equal  
36 to one-half of the annual compensation received by him at his  
37 retirement. Every member of a police department retired for  
38 length of service, as aforesaid, shall annually receive from the  
39 town a sum equal to three-quarters of the annual compensation  
40 received by him at his retirement. The selectmen may in an  
41 emergency call upon any person so pensioned for such temporary  
42 service in the department from which he was retired as they  
43 may deem him fitted to perform, and during such service he shall  
44 be entitled to full pay.