

HOUSE No. 976

By Mr. Curtiss of Sheffield, petition of Sidney Q. Curtiss for the indemnification of volunteer firemen by cities and towns in certain cases. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT PROVIDING FOR THE INDEMNIFICATION OF VOLUNTEER FIREMEN BY CITIES AND TOWNS IN CERTAIN CASES.

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 100 of chapter 41 of the General Laws, as
2 amended by chapter 298 of the acts of 1938, is hereby
3 further amended by striking out, in lines 20 and 21,
4 the words "For the purposes of this section call fire-
5 men shall be considered members of a fire depart-
6 ment" and inserting in place thereof the words:—
7 For the purposes of this section call firemen and vol-
8 unteer firemen shall be considered members of a fire
9 department,—so as to read as follows:— *Section*
10 *100.* A city, town, fire or water district may indem-
11 nify a police officer, fireman or a member of the fire
12 department or a person required to assist a police offi-
13 cer in the discharge of his duties, to an amount not
14 more than the amount recommended by the board or
15 officer authorized to appoint police officers, firemen

16 or members of the fire department of such city, town
17 or district, for expenses or damages sustained by him
18 while acting as a police officer, fireman or member of
19 the fire department or as such assistant, or incurred
20 by him in the defence or settlement of an action
21 brought against him for acts done by him while so
22 acting, and such damages may include loss of pay by
23 reason of absence from duty on the part of such offi-
24 cer, fireman or member because of temporary inca-
25 pacity caused by injury suffered through no fault of
26 his own while in the actual performance of duty; and,
27 if such officer, fireman, member or person be dead,
28 such expenses or damages shall be payable to his
29 widow, or, if he leaves no widow, then to his next of
30 kin who, at the time of his death, were dependent
31 upon his wages for support. For the purposes of this
32 section call firemen and volunteer firemen shall be
33 considered members of a fire department. This sec-
34 tion shall be construed to authorize a city or town to
35 pay compensation, in the manner herein provided, for
36 damages for personal injuries, whether or not death
37 results, and for property damage sustained by a per-
38 son while assisting a police officer thereof in the dis-
39 charge of his duty upon his requirement. This section
40 shall not apply to the city of Boston.