

# HOUSE . . . . No. 343

---

---

By Mr. Taylor of Fall River, petition of the Massachusetts State Firemen's Association for legislation relative to the retirement allowances of certain veterans in the public service. Pensions.

---

---

## The Commonwealth of Massachusetts

---

In the Year One Thousand Nine Hundred and Forty-Three.

---

### AN ACT RELATIVE TO THE RETIREMENT ALLOWANCES OF CERTAIN VETERANS IN THE PUBLIC SERVICE.

*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. Section fifty-six of chapter thirty-  
2 two of the General Laws, as appearing in the Ter-  
3 centenary Edition, is hereby amended by striking  
4 out, in the eleventh line, the words "regular rate of  
5 compensation paid to" and inserting in place thereof  
6 the words:—highest salary or other compensation  
7 received by him while he was holding the grade held  
8 by, — so as to read as follows:— *Section 56.* A  
9 person who has served in the army, navy or marine  
10 corps of the United States in the Spanish war or  
11 Philippine insurrection between April twenty-first,  
12 eighteen hundred and ninety-eight, and July fourth,  
13 nineteen hundred and two, or in the world war between  
14 April sixth, nineteen hundred and seventeen, and

15 November eleventh, nineteen hundred and eighteen,  
16 and has been honorably discharged from such service  
17 or released from active duty therein, in sections fifty-  
18 six to sixty, inclusive, called a veteran, who is in the  
19 service of the commonwealth, or of any county, city,  
20 town or district thereof, shall be retired with the  
21 consent of the retiring authority, if incapacitated for  
22 active service, at one half the highest salary or other  
23 compensation received by him while he was holding  
24 the grade held by him at the time of retirement, and  
25 payable from the same source; provided, that he has  
26 been in the said service at least ten years, has reached  
27 the age of fifty, and has a total income from all sources,  
28 exclusive of such retirement allowance and of any sum  
29 received from the government of the United States  
30 as a pension for war service, not exceeding five hundred  
31 dollars.

1 SECTION 2. Section fifty-seven of said chapter  
2 thirty-two, as so appearing, is hereby amended by  
3 striking out, in the fifth line, the words "regular rate  
4 of compensation paid to" and inserting in place  
5 thereof the words:— highest salary or other com-  
6 pensation received by him while he was holding the  
7 grade held by, — so as to read as follows:— *Section*  
8 *57.* A veteran who has been in the service of the  
9 commonwealth, or of any county, city, town or dis-  
10 trict thereof, for a total period of ten years, may,  
11 upon petition to the retiring authority, be retired, in  
12 the discretion of said authority, from active service,  
13 at one half the highest salary or other compensation  
14 received by him while he was holding the grade held  
15 by him at the time of retirement, and payable from  
16 the same source, if he is found by said authority to

17 have become incapacitated for active service; pro-  
18 vided, that he has a total income, from all sources,  
19 exclusive of such retirement allowance and of any  
20 sum received from the government of the United  
21 States as a pension for war service, not exceeding  
22 five hundred dollars.

1 SECTION 3. Section fifty-eight of said chapter  
2 thirty-two, as so appearing, is hereby amended by  
3 striking out, in the fourth and fifth lines, the words  
4 "regular rate of compensation paid to" and inserting  
5 in place thereof the words:— highest salary or other  
6 compensation received by him while he was holding  
7 the grade held by, — so as to read as follows:—  
8 *Section 58.* A veteran who has been in the service  
9 of the commonwealth, or of any county, city, town  
10 or district, for a total period of thirty years, shall,  
11 at his own request, with the approval of the retiring  
12 authority, be retired from active service at one half  
13 the highest salary or other compensation received  
14 by him while he was holding the grade held by him  
15 at the time of retirement, and payable from the same  
16 source.

1 SECTION 4. This act shall apply to the retire-  
2 ment allowances of veterans retired since January  
3 first, nineteen hundred and thirty-one, and prior  
4 to the effective date of this act as well as to those  
5 retired after said effective date, subject, however,  
6 to the provisions of section eighty-five C of chapter  
7 thirty-two of the General Laws, as amended.

