

SENATE No. 325

To accompany the petition of the Real Estate Owners and Tenants League, by Eric A. Nelson, for legislation relative to the pensioning of certain war veterans in the public service. Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF CERTAIN WAR 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. Chapter thirty-two of the General Laws,
2 as amended by chapter five hundred and fourteen of
3 the acts of nineteen hundred and forty-three, is hereby
4 amended by adding at the end of sections fifty-six
5 and fifty seven the following: — No payments shall be
6 made under the provisions of this section unless the
7 incapacitation occurs during the period of service
8 which fact shall be certified to the retiring authority
9 by the state retirement board upon proper physical
10 examination of the petitioner; nor shall any payments
11 be made in excess of one thousand dollars annually
12 unless the service rendered amounts to more than ten
13 years in which event an additional payment of one

14 hundred dollars shall be allowed for each additional
15 year of service provided that the maximum payment
16 does not exceed two thousand dollars annually or one
17 half the highest rate of compensation received by the
18 petitioner during said service. Any period of time
19 rendered as an elected public official shall not be in-
20 cluded as a part of the required service.

1 SECTION 2. Section fifty-eight of said chapter
2 thirty-two is hereby further amended by adding at the
3 end thereof the following:— The maximum payment
4 allowed under this section shall be two thousand dol-
5 lars or not more than one half the highest rate of com-
6 pensation received by the petitioner during the period
7 of service.”

1 SECTION 3. Section fifty-nine of chapter thirty-
2 two, as appearing in the Tercentenary Edition of the
3 General Laws, is hereby amended by adding the fol-
4 lowing at the end thereof:— No payment shall be
5 made under the preceding sections fifty-six and fifty-
6 seven by the retiring authority until such time as an
7 independent physical examination is given the peti-
8 tioner under the supervision of the state retirement
9 board and such board has certified to such authority
10 the fact of incapacitation for active service on the
11 part of the petitioner.

1 SECTION 4. Section two of chapter four hundred
2 and eighty-three, and chapter six hundred and sev-
3 enty-eight of the acts of nineteen hundred and forty-
4 five are hereby repealed and any action taken there-
5 under are hereby declared null and void.

1 SECTION 5. This act shall take effect upon its
2 passage.