

SENATE No. 825

The Commonwealth of Massachusetts

SENATE, June 2, 1954.

The committee on Municipal Finance on the part of the Senate, to whom was referred the House Bill providing for adequate compensation for reserve and call policemen and firemen injured in line of duty (House, No. 1322), — report recommending that the same ought to pass, with an amendment substituting a new draft entitled “An Act providing for adequate compensation for reserve and call policemen and fire fighters injured in line of duty” (Senate, No. 825).

For the committee,

JOHN F. PARKER.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR ADEQUATE COMPENSATION FOR RESERVE AND CALL POLICEMEN AND FIRE FIGHTERS INJURED IN LINE OF DUTY.

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 striking out section 85H, inserted by section 2 of
3 chapter 431 of the acts of 1952, and inserting in place
4 thereof the following section: —

5 *Section 85H.* The selectmen in every town may
6 retire from active service any call fire fighter or reserve,
7 special or intermittent police officer who becomes
8 permanently disabled mentally or physically by in-
9 juries sustained through no fault of his own in the
10 actual performance of duty as such fire fighter or
11 policeman. A person so retired shall receive an annual
12 pension equal to two thirds of the annual rate of com-
13 pensation payable to a regular or permanent member
14 of the police or fire force, as the case may be, thereof
15 for the first year of service therein, and if there are
16 no permanent members of such force an annual pen-
17 sion in the sum of fifteen hundred dollars. Whenever
18 a call fire fighter or reserve or special or intermittent
19 police officer of a town, or a reserve police officer or
20 reserve or call fire fighter of a city is disabled because
21 of injury or incapacity sustained in the performance
22 of his duty without fault of his own, and is thereby
23 unable to perform the usual duties of his regular
24 occupation at the time such injury or incapacity was
25 incurred, he shall receive from the city or town for
26 the period of such injury or incapacity the amount of
27 compensation payable to a permanent member of the

28 police or fire force thereof, as the case may be, for
29 the first year of service therein, or if there are no
30 regular or permanent members of the police or fire
31 force thereof, at the rate of fifteen hundred dollars
32 per annum; provided, that no such compensation
33 shall be payable for any period after such police
34 officer or fire fighter has been retired or pensioned in
35 accordance with law or for any period after a physician
36 designated by the board or officer authorized to ap-
37 point police officers or fire fighters in such city or
38 town determines that such incapacity no longer exists.
39 All amounts payable under this section shall be paid
40 at the same time and in the same manner as, and for
41 all purposes shall be deemed to be, the regular com-
42 pensation of such police officer or fire fighter.

34. In case of the loss thereof, as the case may be, the
 35. the first year and for thereafter, the sum of
 36. regular or permanent members of the public in the
 37. town thereof, at the rate of three hundred dollars
 38. per annum; provided, that in the computation
 39. shall be included for any period which shall follow
 40. either of the latter has been visited or frequented in
 41. any season with less or on any period of less duration
 42. designated for the year or other subdivision of the
 43. point, unless otherwise provided in the charter of the
 44. town concerned; that such amount, no part of which
 45. all amounts payable under this section shall be paid
 46. in the same time and in the same manner, and for
 47. all purposes shall be deemed to be the regular and
 48. portion of such public either in the latter.