

**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, April 15, 1955.

The committee on Pensions and Old Age Assistance, to whom were referred the petition (accompanied by bill, Senate, No. 63) of Ernest W. Towne that provision be made for cost of living increases of the amounts of pensions payable to certain former public employees and their beneficiaries; the petition (accompanied by bill, Senate, No. 64) of Ernest W. Towne for legislation relative to certain guaranteed retirement allowances under the contributory retirement system; the petition (accompanied by bill, Senate, No. 65) of Ernest W. Towne for legislation to authorize cost of living increases of the amounts of pensions payable to certain former public employees and their beneficiaries; the petition (accompanied by bill, Senate, No. 429) of James W. Hennigan, Jr., and another for legislation to increase the retirement allowance of certain retired police officers and fire fighters; the petition (accompanied by bill, House, No. 350) of Thomas T. Gray for legislation relative to increasing the retirement allowances of certain retired teachers; the petition (accompanied by bill, House, No. 356) of Thomas J. O'Connor, Jr., that retirement allowances payable to certain former public employees be adjusted to present day compensation basis; the petition (accompanied by bill, House, No. 443) of the Massachusetts State Firemen's Association relative to increasing the amounts of pensions, retirement allowances and annuities payable to certain former public employees; the petition (accompanied by bill, House, No. 691) of the Associated Fire Fighters of Massachusetts, A. F. of L., for legislation to regulate the allowances of former public employees retired on account of accidental disability; the petition (accompanied by bill, House, No. 1173) of Charles J. Artesani

for increasing retirement allowances of certain retired public employees who become blind; the petition (accompanied by bill, House, No. 1439) of Ernest R. Caverly that cities and towns be authorized to increase retirement allowances and annuities of certain municipal officers and employees and their beneficiaries; the petition (accompanied by bill, House, No. 1926) of John B. Nordgren for legislation to provide that retirement allowances of certain former state and municipal employees be based on present compensation rates; and the petition (accompanied by bill, House, No. 1928) of Wilfred S. Mirsky for legislation to establish a minimum retirement allowance for state employees, report the accompanying bill (House, No. 2617).

For the committee,

JOSEPH T. CONLEY.

Senator GRAHAM, and Representative HOLMAN of Norwood, dissenting.

## The Commonwealth of Massachusetts

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

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AN ACT RELATIVE TO INCREASING THE AMOUNTS OF PENSIONS, RETIREMENT ALLOWANCE AND ANNUITIES PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

*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. The annual amount of every pension,  
2 retirement allowance or annuity payable under any  
3 general or special law by the commonwealth or by any  
4 county, city, town or district to any former employee  
5 whose sole or principal employment was in the service  
6 of the commonwealth or any of its political subdivisions,  
7 including teachers, except teachers retired under sec-  
8 tion forty-three of chapter thirty-two of the General  
9 Laws, who at the time of their retirement had attained  
10 age fifty-five and had at least fifteen years of creditable  
11 service, shall be increased by two hundred dollars; pro-  
12 vided, that no such increase shall be made in the case of  
13 any pension, retirement allowance or annuity which is  
14 in excess of two thousand dollars, exclusive of any amount  
15 of additional annuity obtained by special purchase as  
16 provided under paragraph (g) of subdivision (1) of sec-  
17 tion twenty-two of chapter thirty-two of the General  
18 Laws, or under any similar law, and no such increase  
19 shall be made which will make the total annual amount  
20 of such pension, retirement allowance or annuity, ex-  
21 clusive of any such additional annuity, exceed two  
22 thousand dollars; and provided, further, that if the  
23 total annual amount of any such pension, retirement  
24 allowance or annuity as so increased, payable to any  
25 former employee, whose sole or principal employment

26 was in the service of the commonwealth or any of its  
27 political subdivisions who was separated from the serv-  
28 ice by superannuation retirement, and at the time of  
29 such retirement had attained age sixty and had at least  
30 twenty-five years of creditable service, is less than  
31 fourteen hundred dollars, exclusive of any additional  
32 annuity obtained by special purchase, it shall be in-  
33 creased to fourteen hundred dollars, and if the total  
34 annual amount of any such pension, retirement allow-  
35 ance or annuity as so increased, payable to any former  
36 employee, whose sole or principal employment was in  
37 the service of the commonwealth or any of its political  
38 subdivisions who was separated from the service by  
39 superannuation retirement, and at the time of such  
40 retirement had attained age sixty-five and had at least  
41 thirty-five years of creditable service, is less than seven-  
42 teen hundred dollars, exclusive of any additional annuity  
43 obtained by special purchase, it shall be increased to  
44 seventeen hundred dollars.

1 SECTION 2. The annual amount of any pension, re-  
2 tirement allowance or annuity payable under any gen-  
3 eral or special law by the commonwealth, or by any  
4 county, city, town or district to any former employee,  
5 including teachers, who was retired from the service  
6 for disability caused by accident or hazard undergone  
7 while in the performance of his duties, regardless of  
8 years of creditable service, shall be increased by two  
9 hundred dollars; provided, that no such increase shall  
10 be paid under this section if a person is eligible to an  
11 increase under section one of this act; and further  
12 provided, that no such increase shall be made if the  
13 pension, retirement allowance or annuity, payable to  
14 such former employee is in excess of two thousand dol-  
15 lars, exclusive of any additional annuity obtained by  
16 special purchase and no such increase shall be made  
17 which will make the total annual amount of such pen-  
18 sion, retirement allowance or annuity exceed two thou-  
19 sand dollars, exclusive of any such additional annuity.

1 SECTION 3. The annual amount of any annuity or  
2 allowance payable under the provisions of sections nine,  
3 eighty-nine, eighty-nine A or under options (c) or (d) of  
4 subdivision (2) of section twelve of chapter thirty-two  
5 of the General Laws, or any similar law, to the widow  
6 of any deceased employee of the commonwealth or of  
7 any county, city, town or district, shall be increased by  
8 one hundred dollars; provided, that the member whose  
9 widow is receiving a pension under said options (c) or (d)  
10 had at least fifteen years of creditable service; and fur-  
11 ther provided, that such widow does not remarry.

1 SECTION 4. The increases granted under this act with  
2 respect to pensions, retirement allowances or annuities  
3 payable by the commonwealth or by the teachers' re-  
4 tirement system shall take effect on January first, nine-  
5 teen hundred and fifty-six. The increases granted under  
6 this act with respect to pensions, retirement allowances  
7 or annuities payable by any county, city, town or dis-  
8 trict shall take effect when accepted in a county by the  
9 county commissioners thereof; in a city having a Plan D  
10 or Plan E charter, by the affirmative vote of a majority  
11 of all the members of the city council; in a city not hav-  
12 ing such a charter by vote of the city council, subject  
13 to the provisions of the charter of such city; in a town,  
14 by a majority vote at a town meeting; and in a district,  
15 by its prudential committee.

1 SECTION 5. Any former employee of the common-  
2 wealth or any of its political subdivisions who is en-  
3 titled to the increase granted by this act may waive  
4 and renounce for himself, his heirs and legal representa-  
5 tives his right to receive such increase by filing with  
6 the treasurer of the governmental unit paying his pen-  
7 sion, retirement allowance or annuity a written statement  
8 wherein he waives and renounces such right as aforesaid.  
9 Nothing in this section shall be construed to otherwise  
10 affect the pension, retirement allowance or annuity pay-  
11 able to the person filing such a written statement.

1 SECTION 6. This act shall not apply to the pension to  
2 be used for reimbursement purposes under paragraph (c)  
3 of subdivision (2) of section twenty of chapter thirty-two  
4 of the General Laws on account of teachers retired under  
5 the provisions of section forty-three of said chapter  
6 thirty-two, or any similar law.



