

HOUSE No. 1144

By Mr. Charles Iannello of Boston, petition of the Massachusetts State Employees Association for regulating further the payments of retirement allowances for ordinary disability. Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING THE PAYMENTS OF RETIREMENT ALLOWANCE FOR ORDINARY DISABILITY.

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 6 of chapter 32 of the General Laws, as
2 amended, is hereby further amended by striking out
3 subdivisions (1) and (2) and inserting the following
4 in place thereof: —

5 (1) Any member in service classified in either
6 Group A or Group B who becomes incapacitated for
7 further service before attaining age sixty-five and
8 after completing fifteen or more years of creditable
9 service, or any such member who is a veteran as de-
10 fined in section one who becomes incapacitated for
11 further service before attaining the maximum age for
12 his group and after completing ten or more years of
13 creditable service, upon his written application on a
14 prescribed form filed with the board or upon such an
15 application by the head of his department after a

16 hearing if requested, as provided for in subdivision (1)
17 of section sixteen and subject to the conditions set
18 forth in said section and in this section, shall be re-
19 tired for ordinary disability as of a date which shall be
20 specified in such application and which shall not be
21 less than fifteen days nor more than four months after
22 the filing of such application, but in no event later
23 than the maximum age for his group, nor earlier than
24 the last day for which he received regular compensa-
25 tion. No such retirement shall be allowed unless the
26 board, after such proof as it may require, including in
27 any event an examination by the medical panel pro-
28 vided for in subdivision (3) of this section, and in-
29 cluding certification of such incapacity by a majority
30 of the physicians on such medical panel, shall find that
31 such member is mentally or physically incapacitated
32 for further service, that such incapacity is likely to be
33 permanent, and that he should be so retired.

34 (2) Upon retirement under the provisions of this
35 section a member shall receive an ordinary disability
36 retirement allowance to become effective on the date
37 of his retirement. Payments of such allowance shall
38 be made as provided in sections twelve and thirteen,
39 and the continuance of payments shall be governed
40 also by the provisions of section eight.

41 (a) The normal yearly amount of such allowance
42 for any member classified in either Group A or Group
43 B other than a veteran as defined in section one shall
44 be a sum equal to one third of the highest annual rate
45 of regular compensation received by such member sub-
46 sequent to June thirtieth, nineteen hundred and thirty-
47 two, and an additional amount equal to two per cent
48 of said compensation for each year of creditable service
49 after the first fifteen; provided, that the total amount

50 of the retirement allowance shall not exceed four fifths
51 of said regular annual compensation.

52 (b) The normal yearly amount of such allowance
53 for any member classified in either Group A or Group B
54 who is a veteran as defined in section one shall be a
55 sum equal to one half of the highest annual rate of
56 regular compensation received by such member sub-
57 sequent to June thirtieth, nineteen hundred and thirty-
58 two, and an additional amount equal to two per cent
59 of said compensation for each year of creditable serv-
60 ice after the first ten; provided, that the total amount
61 of the retirement allowance shall not exceed four
62 fifths of said regular annual compensation.

