

HOUSE . . . No. 1155

By Messrs. Tilden of Scituate and Feeney of Boston, petition of Michael Paul Feeney and Nathaniel Tilden that certain changes be made in the retirement law relative to the definition of "employee". Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

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

AN ACT MAKING CERTAIN CHANGES IN THE RETIREMENT LAW RELATIVE TO THE DEFINITION OF "EMPLOYEE".

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 of chapter 32 of the General Laws is
2 hereby amended by striking out the definitions "Em-
3 ployee" and "Employees of the general court" and
4 inserting in place thereof the following:— "Em-
5 ployee", as applied to persons whose regular compen-
6 sation is paid by any political subdivision of the com-
7 monwealth, except the metropolitan district commis-
8 sion, shall mean any person who is regularly employed
9 in the service of any such political subdivision, in-
10 cluding members of the police and fire departments,
11 teachers and employees of any free public library
12 maintained in any city or town, to the support of
13 which said city or town contributes not less than one
14 half of the cost, employees of a school lunch program
15 as authorized under the provisions of chapter five hun-

16 dred and forty-eight of the acts of nineteen hundred
17 and forty-eight, and also including officials and public
18 officers so paid whether employed, appointed or
19 elected by popular vote for stated terms or otherwise,
20 except members of the judiciary. "Employee", as
21 applied to persons whose regular compensation is paid
22 by the commonwealth or the metropolitan district
23 commission, as the case may be, shall mean any per-
24 son, whether employed, elected or appointed for a
25 stated term or otherwise, who is engaged in duties
26 which require that his time be devoted to the service
27 of either such governmental unit in each year during
28 the ordinary working hours of regular and permanent
29 employees, and who is regularly and permanently em-
30 ployed in such service, including employees of the
31 general court, state officials, constitutional officers,
32 members of the general court or other persons elected
33 by popular vote, but excluding members of the ju-
34 diciary. "Employee", as applied to persons whose
35 regular compensation is paid by the United States
36 from funds allocated to the Massachusetts national
37 guard, shall mean any person who is regularly and
38 permanently employed under the control of the mili-
39 tary department of the commonwealth and whose
40 duties in such employment require substantially all
41 normal working hours.