

HOUSE No. 295

By Mr. Marr of Lynn, petition of the Associated Fire Fighters of Massachusetts AFL-CIO, relative to retirement allowances for uniformed fire fighters who resign before reaching the age of fifty-five. Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-One.

AN ACT PROVIDING FOR THE INCLUSION OF CERTAIN MEMBERS UNDER THE MINIMUM GUARANTEE PROVISION FOR MEMBERS TERMINATING THEIR SERVICE UNDER THE AGE OF FIFTY-FIVE.

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. Paragraph (a) of subdivision (2) of section 10 of
2 chapter 32 of the General Laws, as most recently amended by
3 section 3 of chapter 661 of the acts of 1957, is hereby amended
4 by inserting after the words "or fails of reappointment" the
5 following: — or resigns his position as a permanent uniformed
6 fire fighter, fireman or officer in a permanent uniformed fire de-
7 partment, — so as now to read as follows: —

8 (a) Any member who retires under the provisions of this sec-
9 tion, who has completed twenty or more years of creditable
10 service and who before attaining age fifty-five, fails of nomina-
11 tion or re-election, or fails of reappointment, or resigns his po-
12 sition as a permanent uniformed fire fighter, fireman or officer
13 in a permanent uniformed fire department, or whose office or
14 position is abolished, or is removed or discharged from his
15 office or position without moral turpitude on his part, or who has
16 completed thirty or more years of creditable service and whose
17 resignation becomes effective before he attains age fifty-five,
18 shall receive a normal yearly amount of retirement allowance
19 which shall not be less than the sum of his annuity, which shall
20 be the actuarial equivalent of his accumulated regular deductions

21 at his attained age on the date the allowance becomes effective,
22 and a pension equal to a sum of not less than one third his aver-
23 age annual rate of regular compensation received during any
24 period of five consecutive years of creditable service for which
25 such rate of compensation was the highest; provided, that such
26 member has paid the full amount of regular deductions on the
27 total amount of regular compensation, including deductions
28 specified in subdivision (3A) of section three and in paragraph (d)
29 of subdivision (1) of section twenty-two.

1 SECTION 2. The newly inserted provisions of this act sha
2 apply only to persons whose service terminates on or after the
3 effective date of this act.