

HOUSE . . . . . No. 3131

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, May 17, 1960.

The committee on Bills in the Third Reading, to whom was referred the Bill relative to the effective date of annuities to dependents of public employees killed or dying from injuries in performance of duties (House, No. 643), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 3131).

For the committee,

JAMES R. LAWTON.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty.

AN ACT RELATIVE TO THE EFFECTIVE DATE OF ANNUITIES TO DEPENDENTS OF PUBLIC EMPLOYEES KILLED OR DYING FROM INJURIES IN PERFORMANCE OF DUTIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 The first paragraph of section 89A of chapter 32 of the Gen-  
2 eral Laws, as most recently amended by section 2 of chapter 666  
3 of the acts of 1956, is hereby further amended by striking out  
4 the first sentence and inserting in place thereof the following  
5 sentence:— If an employee of the commonwealth, or of any  
6 political subdivision thereof is killed, or dies from injuries re-  
7 ceived, or dies as a natural and proximate result of undergoing  
8 a hazard peculiar to his employment, while in the performance  
9 of his duty, and it shall be proved to the satisfaction of the  
10 appropriate public authority as hereinafter defined that such  
11 death was the natural and proximate result of an accident oc-  
12 ccurring, or of undergoing a hazard peculiar to his employment,  
13 while he was acting in the performance and within the scope of  
14 his duty, and a majority of the members of a board consisting  
15 of two physicians designated by the public authority hereinafter  
16 defined, and one physician to be designated by the commissioner  
17 of public health shall certify to the treasurer of the body politic  
18 and corporate by which the compensation of such deceased per-  
19 son was payable, that the death was the natural and proximate  
20 result of the said injury or hazard, there shall, except as herein-  
21 after provided, be paid out of the treasury of such body politic  
22 and corporate, to the following dependents of such deceased  
23 person the following annuities:— To the widow, so long as she  
24 remains unmarried, an annuity of fifteen hundred dollars a year,  
25 increased by not exceeding three hundred and twelve dollars for  
26 each child of such deceased person during such time as such child  
27 is under the age of eighteen or over said age and physically or  
28 mentally incapacitated from earning; and, if there is any such  
29 child and no widow or the widow later dies, such an annuity as

30 would have been payable to the widow had there been one or  
31 had she lived, to or for the benefit of such child, or of such chil-  
32 dren in equal shares, during the time aforesaid; and, if there is  
33 any such child and the widow remarries, in lieu of the aforesaid  
34 annuity to her, an annuity not exceeding five hundred and twenty  
35 dollars to or for the benefit of each such child during the time  
36 aforesaid; and, if there is no widow and no such child, an an-  
37 nuity not exceeding one thousand dollars to or for the benefit  
38 of the father or mother of the deceased, or to or for the benefit  
39 of an unmarried or widowed sister of the deceased with whom  
40 he was living at the time of his death, if such father, mother or  
41 sister was dependent upon him for support at the time of his  
42 death, during such time as such beneficiary is unable to support  
43 himself or herself and does not marry, and such annuity shall  
44 become effective as of the date of death of said deceased.

