

# HOUSE . . . . No. 1304

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By Mr. Ward of Boston, petition of George L. McKim and others for further legislation relative to retirement of employees of the city of Boston and county of Suffolk. Pensions.

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## The Commonwealth of Massachusetts

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

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An Act relative to Payment of Pensions and Annuities under the Boston Retirement Act.

*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. Section nine of chapter five hundred  
2 and twenty-one of the acts of nineteen hundred  
3 and twenty-two is hereby amended by striking out,  
4 in the third line, the word "thirty" and inserting  
5 in place thereof the word : — ten, — and by striking  
6 out, in the third line of the second paragraph, the  
7 word "thirty" and inserting in place thereof the  
8 word: — ten, — so as to read as follows: — *Section*  
9 9. A member of this retirement system who shall  
10 have attained age sixty shall, upon his own ap-  
11 plication be retired for superannuation within ten  
12 days after the filing of such application, or he may,  
13 and if he is a member of the police force he shall,  
14 upon the application of the head of his depart-  
15 ment be retired for superannuation by the retire-

16 ment board. A member, other than a member of  
17 the police force, whose retirement is applied for  
18 by the head of his department shall be entitled  
19 to a notice of such application and to a hearing  
20 before the retirement board provided he requests  
21 such hearing in writing within ten days of the  
22 receipt of such notice.

23 A member of this retirement system who shall  
24 have attained age seventy shall be retired for  
25 superannuation within ten days, except members  
26 of the judiciary, and except that a school teacher  
27 shall be retired on the thirty-first day of August  
28 following his attaining the age of seventy.

1 SECTION 2. Section seventeen of chapter five  
2 hundred and twenty-one of the acts of nineteen  
3 hundred and twenty-two is hereby amended by  
4 striking out, in the second line the word "thirty"  
5 and inserting in place thereof the following word:  
6 — ten, — and by striking out, in the third and  
7 fourth lines, the words "until the first payment  
8 on account of any retirement allowance is made,"  
9 — so as to read as follows:— *Section 17.* With  
10 the condition that no optional selection shall become  
11 effective in case a member dies within ten days  
12 after filing his application for retirement, the mem-  
13 ber or if he be an incompetent then his wife, or  
14 if he have no wife, a conservator, may elect to  
15 receive in lieu of the retirement allowance pro-  
16 vided for in this system a lesser retirement al-  
17 lowance payable throughout life with the provision  
18 that:

19 Option 1. If he die before he has received in  
20 payments the present value of his retirement al-

21 lowance as it was at the time of his retirement,  
22 the balance shall be paid to his legal representa-  
23 tive or to such person having an insurable interest  
24 in his life as he, his wife or conservator shall have  
25 nominated by written designation duly acknowledged  
26 and filed with the retirement board; or

27 Option 2. Upon his death his retirement allow-  
28 ance shall be continued throughout the life of and  
29 paid to such person having an insurable interest  
30 in his life as he, his wife or conservator, shall have  
31 nominated by written designation duly acknowledged  
32 and filed with the retirement board at the time of  
33 his retirement; or

34 Option 3. Upon his death one half his retire-  
35 ment allowance shall be continued throughout the  
36 life of and paid to such person having an insurable  
37 interest in his life as he, his wife or conservator,  
38 shall have nominated by written designation duly  
39 acknowledged and filed with the retirement board  
40 at the time of the retirement.

