

# HOUSE . . . . . No. 541.

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Bill accompanying the petition of William F. Howes for legislation relative to the retirement and pensioning of members of the fire department of the city of Boston. Cities. January 24.

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## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Five.

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### AN ACT

Relative to the Retirement and Pensioning of Members of the Fire Department of the City of Boston.

*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. The fire commissioner of the city  
2 of Boston shall, upon the request of any member  
3 of the fire department in good standing, who has  
4 arrived at the age of sixty years and who has per-  
5 formed active service in said department for  
6 twenty-five consecutive years, retire such member  
7 from further active duty, except as specified in  
8 section six of this act, and cause him to be placed

9 upon the pension list of said fire department.  
10 The amount of the annual pension shall be one-  
11 half of the yearly compensation received by the  
12 pensioner at the time of his retirement.

1 SECTION 2. The fire commissioner of the city  
2 of Boston shall, upon the request of any member  
3 of the fire department who has performed active  
4 service in said department for not less than fifteen  
5 consecutive years and who is, in the judgment of  
6 said fire commissioner, incapacitated either phys-  
7 ically or mentally for further useful service in  
8 the department, retire such member from active  
9 service and place him upon the pension list of  
10 said department. The amount of such annual  
11 pension shall not be less than one-third of the  
12 yearly compensation received by him at the time  
13 of retirement when said member has served more  
14 than fifteen and less than twenty years. When  
15 any member so retired shall have served more  
16 than twenty years the amount of the annual pen-  
17 sion shall be one-half of the said yearly compen-  
18 sation.

1 SECTION 3. The fire commissioner of the city  
2 of Boston may, at his discretion, retire from active  
3 service and place upon the pension list any mem-  
4 ber of said fire department who has arrived at the  
5 age of sixty-five years. The amount of such an-  
6 nual pension shall be one-half of the yearly com-  
7 pensation received by the member at the time of  
8 his retirement.

1 SECTION 4. The fire commissioner of the city  
2 of Boston shall retire from active service and  
3 place upon the pension list of the fire depart-  
4 ment any member who shall be certified to the  
5 said commissioner, in writing, by the physician  
6 of the board of health or such other physician  
7 or physicians that said fire commissioner shall  
8 deem competent, to be permanently incapacitated,  
9 either mentally or physically, by injuries sustained  
10 in the actual performance of duty. The amount  
11 of such annual pension shall not be less than one-  
12 half of the yearly compensation received by the  
13 member at the time of his retirement.

1 SECTION 5. If any member of the fire depart-  
2 ment shall die from injuries received while in the  
3 performance of his duties, and shall leave a widow,  
4 or, if no widow, a child or children under the age  
5 of sixteen years, a sum not exceeding three hun-  
6 dred dollars may be paid by the said city as an  
7 annuity to such widow as long as she remains  
8 unmarried, or to the legal guardians of such child  
9 or children as long as such child or children re-  
10 main under the age of sixteen years. Said fire  
11 commissioner shall, from time to time, determine  
12 the amount of such annuity.

1 SECTION 6. The fire commissioner is hereby  
2 authorized in case of emergency to call upon any  
3 member on the pension list of the fire department  
4 for such temporary service in the department as  
5 he may be able to perform. During such service

6 any member, or members, shall be entitled to and  
7 shall receive the full pay of the rank or office  
8 held by them at the time of retirement.

1 SECTION 7. The pensions made payable under  
2 this act shall be paid from the amount annually  
3 appropriated for the maintenance of the fire de-  
4 partment of the city of Boston.

1 SECTION 8. All laws inconsistent with, or con-  
2 flicting with, this act are hereby repealed.

1 SECTION 9. This act shall not take effect until  
2 it shall have been approved and passed by a two-  
3 thirds vote of the entire membership of the city  
4 council of the said city of Boston.