

# HOUSE . . . . No. 1296

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By Mr. Bessette of New Bedford, petition of Leo McGoff and others for legislation relative to retirement of members of the fire department of the city of New Bedford. Pensions and Municipal Finance, sitting jointly.

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## The Commonwealth of Massachusetts

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

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### AN ACT RELATIVE TO THE RETIREMENT OF MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW BEDFORD.

*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 chief of the fire department of  
2 the city of New Bedford, with the approval of the  
3 mayor, may retire from active service and place  
4 upon a pension roll any permanent member of the  
5 fire department of that city, who, by injuries sus-  
6 tained through no fault of his and in the actual per-  
7 formance of his duty, has become permanently dis-  
8 abled, mentally or physically, from useful service  
9 in the department, and may retire from active service  
10 and place upon a pension roll any permanent member  
11 of said department who has performed faithful  
12 service therein for a period of not less than twenty  
13 consecutive years or who has reached the age of  
14 sixty years, if, in the judgment of said chief, such  
15 member is disabled for further useful service in the

16 department; provided, however, that no member  
17 of said department shall be retired for permanent  
18 total disability except upon the certificate of the city  
19 physician, which certificate shall be filed with the  
20 records of the fire department. Every person retired  
21 under the provisions of this act shall annually receive  
22 as a pension a sum equal to one half the highest salary  
23 or other compensation received by members of said  
24 department holding positions in the grade occupied by  
25 him at the time of his retirement; the said amount  
26 to be paid by the city, which shall provide money  
27 therefor.

1 SECTION 2. Nothing in this act shall authorize  
2 any action contrary to section ten of chapter two  
3 hundred and eighty-five of the acts of nineteen hun-  
4 dred and thirty-four, as amended by section ten of  
5 chapter one hundred and two of the acts of nineteen  
6 hundred and thirty-seven.

1 SECTION 3. This act shall apply to the retirement  
2 allowances of firemen of said city retired since Janu-  
3 ary first, nineteen hundred and thirty-one, and prior  
4 to the effective date of this act as well as to those  
5 retired after said effective date.