

By Mr. Trombley of Waltham, petition of Peter G. Trombley that provision be made for increased disability benefits for civil defense workers. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT PROVIDING FOR INCREASED DISABILITY BENEFITS FOR CIVIL DEFENSE WORKERS.

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

1 Chapter 639 of the acts of 1950 is hereby amended by striking
2 out the second paragraph of section 11A, as most recently
3 amended by chapter 560 of the acts of 1956, and inserting in place
4 thereof the following: —

5 Every person appointed under paragraph (a) of section eleven
6 of this act and every volunteer unpaid person appointed by the
7 director of civil defense under section two of this act who, while
8 participating in training, or performing duty, in the city or town
9 in which he is appointed or in another city or town in the com-
10 monwealth or in another state under or pursuant to any provi-
11 sion of this act or of any mutual aid arrangement or interstate
12 compact made under authority, thereof, shall without fault or ne-
13 glect on his part sustain loss of or damage to his property by rea-
14 son of such participation in training or performance of duty, shall
15 be indemnified by the commonwealth for such loss or damage,
16 but said indemnification shall not exceed fifty dollars for any one
17 accident. Every such person, who, while so participating in train-
18 ing or performing duty, shall by reason thereof without fault or
19 neglect on his part sustain personal injury, shall be indemnified
20 by the commonwealth for the reasonable hospital, medical and
21 surgical expenses incurred by him or in his behalf by reason of
22 such injury, and also for his loss of earning capacity, if any, in

23 accordance with the provisions of section thirty-four and thirty-
24 five of chapter one hundred and fifty-two of the General Laws
25 plus a sum equal to that so specified in section thirty-five A of
26 said chapter for each person wholly dependent on such person
27 within the meaning of section thirty-five A of said chapter of the
28 General Laws. Every such person who, while so participating in
29 training or performing duty, shall by reason thereof without fault
30 or neglect on his part receive any of the injuries specified in sec-
31 tion thirty-six of said chapter one hundred and fifty-two shall be
32 indemnified by the commonwealth at the rate and for the period
33 specified in said section thirty-six except that any determination
34 required by said section to be made by the industrial accident
35 board shall be made by the civil defense claims board. If any such
36 person is killed while, and by reason of, so participating in train-
37 ing or performing duty, or if any such person dies from injuries
38 received, or as natural and proximate result if undergoing a haz-
39 ard, while and by reason of, so participating in training of per-
40 forming duty the reasonable expense of his burial, not exceed-
41 ing the amount payable under section thirty-three of chapter one
42 hundred and fifty-two of the General Laws as may be amended,
43 shall be paid by the commonwealth, which shall also pay to his
44 dependents the following annuities: to the widow, so long as she
45 remains unmarried, an annuity not to exceed the per annum
46 weekly amount payable to the surviving widow under section
47 thirty-one of chapter one hundred and fifty-two of the General
48 Laws, as may be amended except that in no event shall said
49 annuity be payable in accordance with said section of said chapter
50 except that further payments up to the full amount to the annuity
51 may be made if said unremarried widow is not capable of self-
52 support, in whole or in part, increased by not more than that
53 specified under said section as may be amended if the widow has
54 one or more children according to the schedule set forth in said
55 section on an annual basis during such time as such child is under
56 the age of eighteen or over the said age and physically or men-
57 tally incapacitated from earnings; and if there is any such child
58 and no widow or the widow later dies, such annuity as would have
59 been payable to the widow had there been one or had she lived,
60 to or for the benefit of such child, or of such children in equal

61 shares, during the time aforesaid; and if there is any such child
62 and the widow remarries, in lieu of the aforesaid annuity to her,
63 an annuity not to exceed the per annum weekly amount payable
64 to the benefit of each such child during the time aforesaid under
65 the provisions of said section of said chapter as may be amend-
66 ed; and, if there is no widow and no such child an annuity not
67 to exceed the per annum weekly amount payable under said sec-
68 tion of said chapter as may be amended, in all other cases of de-
69 pendency to or for the benefit of the father or mother of the de-
70 ceased, or to or for the benefit of an unmarried or widowed sister
71 of the deceased with whom he was living at the time of his death,
72 if said father, mother, sister was dependent upon him for support
73 at the time of his death, during such time as such beneficiary is
74 unable to support himself and does not marry.

