

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Morrissey, Michael (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act further regulating retirement laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Morrissey, Michael (SEN)	Norfolk and Plymouth
President Robert McCarthy	Professional Fire Fighters of MA 130 Bowdoin St., Suite 710 Boston, MA 02108
Bruce J. Ayers	1st Norfolk
Ronald Mariano	3rd Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01603 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT FURTHER REGULATING RETIREMENT LAWS.

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 9 of Chapter 32, as appearing in the 1996 Official Edition, is
2 hereby amended by striking out subsection (1) and inserting in place thereof the following
3 subsection:-

4 Section 9(1). Conditions for allowance. If the board, upon receipt of proper proof, finds that any
5 member in service died as the natural and proximate result of a personal injury sustained or a
6 hazard undergone as a result of, and in the performance of, his/her duties at some definite place
7 and at some definite time on or after the date of his/her becoming a member or prior to such date
8 while any provision of this chapter relating to non-contributory pensions was applicable to
9 him/her, without serious and willful misconduct on his/her part, the payments and allowance
10 hereinafter referred to in this section shall be granted to his beneficiary or beneficiaries, in the
11 sum or sums, and upon the terms and conditions, specified in this section. Except as provided for

12 in subdivision (3) of section seven, no payments or allowances shall be granted under this section
13 unless such injury was sustained or such hazard was undergone within two years prior to the
14 death of such member or, if occurring earlier, unless written notice thereof was filed with the
15 board by him or in his behalf within ninety days after its occurrence. The provisions of this
16 section shall apply although such member had previously been retired if the board finds that such
17 death was the natural and proximate result of a personal injury sustained in hazard undergone as
18 a result of, and while in the performance of his duties.