

# HOUSE . . . . . No. 1028

---

---

By Mr. O'Sullivan of Boston, petition of Local 1134, American Federation of State, County & Municipal Employees, AFL: CIO that a certain physical condition or disease resulting in total or partial disability to public employees be presumed to have been suffered in line of duty with reference to the accidental disability retirement law. Pensions and Old Age Assistance.

---

---

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Eight.

---

AN ACT PROVIDING THAT A CERTAIN PHYSICAL CONDITION OR DISEASE RESULTING IN TOTAL OR PARTIAL DISABILITY SHALL BE PRESUMED TO HAVE BEEN SUFFERED IN LINE OF DUTY, WITH REFERENCE TO THE ACCIDENTAL DISABILITY RETIREMENT LAW.

*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 32 of the General Laws is hereby amended by  
2 striking out section 94, added by chapter 594 of the acts of 1951,  
3 and inserting in place thereof the following section:—

4 *Section 94.* Notwithstanding the provisions of any general  
5 or special law to the contrary affecting the non-contributory or  
6 contributory system, any condition of impairment of health  
7 caused by hypertension or heart disease resulting in total or  
8 partial disability to any employee of the commonwealth of  
9 Massachusetts or its political subdivisions, shall be presumed  
10 to have been suffered in line of duty, unless the contrary be  
11 shown by competent evidence.

