

By Mr. Locke, a petition (accompanied by bill, Senate, No. 1327) of Herbert M. Yanco, Bernard Murphy, Leonard M. Lawless and Charles J. Zraceffa for legislation relative to certain employees continuing service beyond the age of seventy. Public Service.

**The Commonwealth of Massachusetts**

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

AN ACT RELATIVE TO CERTAIN EMPLOYEES CONTINUING SERVICE BEYOND THE AGE OF SEVENTY.

*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. Chapter 32 of the General Laws is hereby  
2 amended by striking out section 90G and inserting in place thereof  
3 the following section: —

4 Section 90G. Any member in service classified in Group 1, or  
5 any other person who would be classified in Group 1 except for  
6 the fact that he is not a member shall continue in service, at his  
7 option, notwithstanding the fact that he has attained age seventy;  
8 provided, however, that he is mentally and physically capable of  
9 performing the duties of his office or position. Such member or  
10 other person shall annually, at his own expense, be examined by  
11 an impartial physician designated by the retirement authority to  
12 determine such capability. No deductions shall be made from the  
13 regular compensation of such member or other person under the  
14 provisions of this chapter for service after he has attained age  
15 seventy and upon retirement such member or other person shall,  
16 to the extent eligible, receive a veteran's pension allowance equal  
17 to that to which he would have been entitled had he retired at  
18 age seventy. Nothing in this section shall be construed to deny  
19 any member or his surviving spouse any benefit under any section  
20 of chapter thirty-two to which he would have been entitled had  
21 he retired at age seventy.

1 SECTION 2. Section 90G  $\frac{1}{2}$  of said chapter 32, as amended  
2 by section 107 of the acts of 1987, is hereby amended by striking  
3 out the first paragraph and inserting in place thereof the following  
4 paragraph: —

5 Notwithstanding the provisions of section ninety F or ninety  
6 G, or any other general or special law to the contrary, any member  
7 continuing in service pursuant to said sections after having  
8 attained the age of seventy may elect to continue to earn creditable  
9 service and to have deductions made from his regular  
10 compensation.