

By Mr. O'Brien of Springfield, petition of John P. O'Brien and Arthur J. McKenna that certain diseases resulting in disability or death to uniformed members of paid police departments shall be presumed to have been suffered in the line of duty, with reference to the accidental disability retirement law. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Two.

AN ACT PROVIDING THAT CERTAIN DISEASES RESULTING IN DISABILITY OR DEATH TO UNIFORMED MEMBERS OF PAID POLICE DEPARTMENTS SHALL BE PRESUMED TO HAVE BEEN SUFFERED IN THE 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 94A and inserting in place thereof the
3 following section: —

4 *Section 94A.* Notwithstanding the provisions of any general
5 or special law to the contrary affecting the non-contributory or
6 contributory retirement system, any condition of impairment
7 of health caused by any disease of the lungs or respiratory
8 tract, resulting in total disability or death to a uniformed
9 member of a paid fire or police department, shall, if he success-
10 fully passed a physical examination on entry into such service
11 or subsequent to such entry, which examination failed to reveal
12 any evidence of such condition, be presumed to have been
13 suffered in the line of duty, as a result of the inhalation of
14 noxious fumes or poisonous gases, unless the contrary be
15 shown by competent evidence.

