

By Mr. Navin of Marlborough, petition of Joseph M. Navin relative to the retirement of certain public employees for ordinary disability. Public Service.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN PUBLIC EMPLOYEES
FOR ORDINARY DISABILITY.

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 6 of chapter 32 of the General Laws is hereby
2 amended by striking out the first paragraph as amended, and
3 inserting in place thereof the following paragraph: — (1)
4 *Conditions for Allowance.* — Any member in service who
5 becomes totally and permanently incapacitated for further duty
6 after completing fifteen or more years of service, or any member
7 who is a veteran and has completed ten or more years of
8 creditable service, upon his written application on a prescribed
9 form filed with the Board or upon such an application by the
10 head of his department after a hearing, if requested, as provided
11 for in subdivision (1) of section sixteen and subject to the
12 conditions set forth in said section and in this section, shall be
13 retired for ordinary disability as of a date which shall be
14 specified in such application and which shall be not less than
15 fifteen days nor more than four months after the filing of such
16 application but in no event later than the maximum age for his
17 group nor earlier than the last day for which he received regular
18 compensation. No such retirement shall be allowed unless the
19 Board, after such proof as it may require, including in any event
20 an examination by the medical panel provided for in subdivision

21 (3) of this section and including a certification of such incapacity
22 by a majority of the physicians on such medical panel, shall find
23 that such member is mentally or physically incapacitated for
24 further duty, that such incapacity is likely to be permanent, and
25 that he should be so retired.

26 (2) *Amount of Allowance.* — Section 6 is hereby further
27 amended by striking out paragraph (a) of subsection (2), and
28 lines two and three of paragraph (b), and all of paragraph (c)
29 and inserting after line 1 of paragraph (b) the following: — shall
30 be equal to the sum of —.