

# HOUSE . . . . . No. 2876

By Mr. Bosley of North Adams, petition of Daniel E. Bosley for legislation to further regulate public employee retirement due to asbestos exposure. Public Service.

## The Commonwealth of Massachusetts

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

### AN ACT FURTHER REGULATING PUBLIC EMPLOYEE RETIREMENT.

*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 inserting  
2 the following new section: —  
3 Section 94B. Notwithstanding the provisions of any general or  
4 special law to the contrary affecting the noncontributory or  
5 contributory retirement system, any condition of impairment of  
6 health caused by the exposure to asbestos to any person while in  
7 the employ of any school committee, regional school district,  
8 educational collaborative, independent vocational school or the  
9 board of regents of higher education, resulting in the total  
10 disability to such person, shall, if such person successfully passed  
11 a physical examination on entry into such employment or  
12 subsequent to such entry, which examination failed to reveal any  
13 evidence of such conditions, be presumed to have been suffered  
14 during the term of such employment, as a result of the inhalation  
15 of asbestos fibers, unless the contrary be shown by competent  
16 evidence. Evidence which may be considered to show the contrary  
17 shall include, but not be limited to, evidence of the presence of  
18 risk factors associated with diseases of the lung or respiratory  
19 tract.

Resolved, That the sum of \$100,000 be and it is hereby appropriated for the purpose of purchasing the land...

SECTION 1

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