

By Mr. Flood of Canton, petition of John H. Flood that certain public employees be allowed to continue employment beyond the mandatory retirement age. Public Service.

**The Commonwealth of Massachusetts**

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

AN ACT ALLOWING CERTAIN PUBLIC EMPLOYEES TO CONTINUE EMPLOYMENT BEYOND THE MANDATORY RETIREMENT AGE.

*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 amend-  
2 ed by striking out Section 90F and inserting in place thereof the  
3 following section: —

4 Section 90F: Any member in service, classified in Group 1,  
5 shall continue in service, at his option, notwithstanding the fact  
6 that he has attained age seventy; provided, however, that he is  
7 mentally and physically capable of performing the duties of his  
8 office or position. Such member shall annually, at his own  
9 expense, be examined by an impartial physician designated by the  
10 retirement authority to determine such capability.

11 Deductions shall be made from the regular compensation of  
12 each member under the provision of this chapter for service after  
13 he has attained age seventy and upon retirement such member  
14 shall receive a superannuation retirement allowance equal to that  
15 to which he would be entitled on the date of actual retirement.

16 If deductions have not been made from eligible members in  
17 service because of the provisions of the prior Section 90F, such  
18 members shall be entitled to all the benefits of this section by  
19 paying the amount of money that would have been deducted under  
20 the provisions of this section.

1 SECTION 2. Chapter 32 of the General Laws is hereby amend-  
2 ed by striking out Section 90G, and inserting in place thereof the  
3 following Section: —

4 Section 90G. Any member in service, classified in Group 1,  
5 shall continue in service, at his option, notwithstanding the fact  
6 that he has attained age seventy; provided however, that he is  
7 mentally and physically capable of performing the duties of his  
8 position. Such member shall annually, at his own expense be  
9 examined by an impartial physician designated by the retirement  
10 authority to determine such capability. Deductions shall be made  
11 from the regular compensation of each member under the provi-  
12 sions of this chapter for services after he has attained age seventy  
13 and upon retirement such member shall, to the extent eligible,  
14 receive a veteran's pension allowance equal to that to which he  
15 would be entitled on the date of actual retirement.

16 If deductions have not been made from eligible members in  
17 service because of the provisions of the prior Section 90G, such  
18 members shall be entitled to all benefits of this section by paying  
19 the amount of money that would have been deducted under the  
20 provisions of this section.

21 Nothing in this section shall be construed to deny any veteran or  
22 his surviving spouse any benefit under any section of Chapter 32 to  
23 which he would be entitled up to the date of actual retirement.

1 SECTION 3. This act shall take effect upon its passage.