

HOUSE No. 1464

By Mr. Cole of Lexington, petition of Lincoln P. Cole, Jr., and Joseph B. Walsh that a certain physical condition or disease resulting in total or partial disability or death to members of the police force of the Massachusetts Bay Transportation Authority shall be presumed to have been suffered in line of duty under the accidental disability retirement law. Public Service.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT A CERTAIN PHYSICAL CONDITION OR DISEASE RESULTING IN TOTAL OR PARTIAL DISABILITY OR DEATH TO MEMBERS OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY POLICE DEPARTMENT SHALL BE PRESUMED TO HAVE BEEN SUFFERED IN 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 94 as appearing therein and inserting in
3 place thereof the following section:—

4 *Section 94.* Notwithstanding the provisions of any general
5 or special law to the contrary affecting the non-contributory
6 or contributory system, any condition of impairment of
7 health caused by hypertension or heart disease resulting in
8 total or partial disability or death to a uniformed member of
9 a paid fire department or permanent member of a police
10 department, or of the police force of the metropolitan district
11 commission, or of the state police in the department of public
12 safety, or of the capitol police, or of the public works building
13 police, or to any employee of the registry of motor vehicles in
14 the department of public works who entered the service of
15 the registry as an investigator or examiner and performed
16 police duty, or to any employee in the department of correc-
17 tion whose regular or incidental duties require the care,

18 supervision or custody of prisoners, criminally insane persons
19 or defective delinquents, or to any permanent crash crewman,
20 crash boatman, fire controlman or assistant fire controlman
21 employed at the General Edward Lawrence Logan Interna-
22 tional Airport, or of the police force of the Massachusetts
23 Bay Transportation Authority, shall, if he successfully passed
24 a physical examination on entry into such service, or subse-
25 quently successfully passed a physical examination, which
26 examination failed to reveal any evidence of such condition,
27 be presumed to have been suffered in line of duty, unless the
28 contrary be shown by competent evidence.