

**HOUSE . . . . . No. 2299**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James J. Dwyer*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to defining certain disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>1/14/2013</i>

**HOUSE . . . . . No. 2299**

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By Mr. Dwyer of Woburn, a petition (accompanied by bill, House, No. 2299) of James J. Dwyer relative to the disability retirement law for public employees. Public Service.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1642 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act relative to defining certain disabilities.

*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, as appearing in the 2008 Official Edition  
2 is amended by adding the following: — Section 94C. Notwithstanding the provisions of any  
3 general or special law to the contrary affecting the non-contributory or contributory retirement  
4 system, any condition or impairment of health caused by any disease of the lungs or respiratory  
5 tract, resulting in total disability or death of a member of such system whose impairment was  
6 caused by negative environmental factors in the workplace and which occurred subsequent to  
7 employment in such workplace shall be presumed to have been suffered in the performance of  
8 the job unless the contrary be shown by competent evidence.