

# HOUSE . . . . . No. 4223

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## The Commonwealth of Massachusetts

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PRESENTED BY:

*Leonard Mirra*

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*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 firefighters in the town of Merrimac.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Leonard Mirra</i>	<i>2nd Essex</i>	<i>6/19/2014</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	<i>6/19/2014</i>

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By Mr. Mirra of West Newbury, a petition (accompanied by bill, House, No. 4223) of Leonard Mirra and Kathleen O'Connor Ives (by vote of the town) that the town of Merrimac be authorized to continue the employment of certain firefighters. Public Service. [Local Approval Received.]

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen  
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An Act relative to firefighters in the town of Merrimac.

*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. Notwithstanding chapter 32 of the General Laws or any other general or  
2 special law to the contrary, all permanent and call firefighters employed by the town of  
3 Merrimac, including the fire chief and any deputy fire chief, may continue in service beyond the  
4 age of 65; provided, however, that each such fighter remains physically and mentally capable of  
5 performing the duties of firefighter. In no event shall any such permanent or call firefighter  
6 remain in service beyond the age of 70.

7           SECTION 2. The town of Merrimac may require, at its discretion, each permanent or call  
8 firefighter who desires to remain in service beyond the age of 65 to undergo examination by an  
9 impartial physician, designated by the town, to determine the firefighter's fitness to remain in  
10 service. Such examination shall be at the expense of the permanent or call firefighter.

11           SECTION 3. No deductions shall be made from the regular compensation of a permanent  
12 or call firefighter pursuant to chapter 32 of the General Laws for any service performed by such  
13 firefighter subsequent to reaching the age of 65. Upon the retirement of such permanent or call  
14 firefighter, the firefighter shall receive a superannuation retirement allowance equal to that to  
15 which the firefighter would have been entitled upon retirement at age 65, if any.

16           SECTION 4. This act shall not entitle any permanent or call firefighter to remain in  
17 service to the town of Merrimac if otherwise removed or suspended from office in accordance  
18 with applicable laws, rules and regulations.

19           SECTION 5. This act shall take effect upon its passage.