

## ACT 37

H. B. NO. 127

A Bill for an Act Relating to Ordinary Disability Retirement.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 88-75, Hawaii Revised Statutes, is amended to read:

**“Sec. 88-75 Ordinary disability retirement.** Upon the application of a member in service or on leave without pay or of the head of his department, any member who has had ten or more years of credited service shall be retired by the board of trustees on an ordinary disability retirement allowance if the medical board after a medical examination of the member certifies that:

- (1) He is mentally or physically incapacitated for the further performance of duty;
- (2) The incapacity is likely to be permanent; and
- (3) The member should be retired.

Retirement shall become effective upon the date specified by the board, which date shall be no earlier than thirty days after the date of filing of application.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 4, 1973.)

---

\*Edited accordingly.