

HOUSE No. 4359

The Commonwealth of Massachusetts

PRESENTED BY:

David T. Vieira

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 the disability retirement of Jared Macdonald, a police officer in the town of Bourne.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>5/25/2016</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>	<i>5/26/2016</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	<i>5/26/2016</i>

HOUSE No. 4359

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4359) of David T. Vieira, Randy Hunt and Viriato M. deMacedo (by vote of the town) relative to the disability retirement of Jared MacDonald, a police officer in the town of Bourne. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the disability retirement of Jared Macdonald, a police officer in the town of Bourne.

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. (a) Notwithstanding any general or special law to the contrary and in order
2 to promote the public good, the Barnstable County Retirement Board shall retire Jared
3 MacDonald, a police officer in the Bourne Police Department who was injured in the line of duty
4 on February 5, 2015 and, as a result, is totally and permanently incapacitated from performing
5 the essential duties of a police officer. The benefits shall be paid and administered in accordance
6 with section 7 of chapter 32 of the General Laws. Upon retirement, Jared MacDonald shall
7 receive a lump sum payment from the Barnstable County Retirement Board equal to his total
8 accumulated retirement deductions.

9 (b)The annual amount of pension payable to Jared MacDonald shall be equal to the rate
10 of regular compensation which would have been payable to him had he continued in service as a
11 police officer at the grade held by him at the time of his retirement until his death or until

12 reaching age 65, whichever first occurs. The retirement shall become effective commencing on
13 the date immediately following the final day for which Jared MacDonald received regular
14 compensation for such employment. The additional benefits granted in this act shall be funded
15 and administered by the Barnstable County Retirement Board, consistent with and subject to said
16 chapter 32, except that sections 8, 91 and 91A of said chapter 32 shall not apply. All amounts
17 paid under this act shall be nontaxable.

18 (c) Upon attaining age 65, Jared MacDonald shall receive a pension pursuant to section 7
19 of chapter 32 of the General Laws, the yearly amount of which shall be equal to 80 per cent of
20 the average annual rate of compensation paid to him in the previous 12 months.

21 (d) If Jared MacDonald shall be married at the time of his retirement, then, upon his
22 death, the Barnstable County Retirement Board shall pay this surviving spouse, Kerry A.
23 MacDonald, if then living, a pension, payable in monthly installments, in the amount of 75 per
24 cent of the annualized amount of the pension payable to Jared MacDonald on the date of his
25 death. The pension shall be subject to section 103 of said chapter 32.

26 (e) Jared MacDonald shall be indemnified for hospital, medical and other required
27 healthcare expenses, not including experimental medical treatments, related to treatment of
28 injuries sustained while in the line of duty on February 5, 2015 not otherwise covered by health
29 insurance.

30 SECTION 2. This act shall take effect upon its passage.