

**HOUSE . . . . . No. 3790**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul Brodeur***

*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 accidental disability retirement for Jan Witkowski.

PETITION OF:

| NAME:               | DISTRICT/ADDRESS:     | DATE ADDED:     |
|---------------------|-----------------------|-----------------|
| <i>Paul Brodeur</i> | <i>32nd Middlesex</i> | <i>5/9/2017</i> |

**HOUSE . . . . . No. 3790**

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By Mr. Brodeur of Melrose, a petition (subject to Joint Rule 12) of Paul Brodeur that the Massport Employees’ Retirement System be directed to grant accidental disability retirement benefits to Jan Witkowski. Public Service.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to accidental disability retirement for Jan Witkowski.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith accidental disability retirement benefits for Jan Witkowski, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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 the notice requirements in subsection (1) of section 7  
2 of chapter 32 of the General Laws or any other general or special law to the contrary and in order  
3 to promote the public good, the Massport Employees’ Retirement System shall pay Jan  
4 Witkowski, a retired member, accidental disability retirement benefits from any condition of  
5 impairment of health, including post-traumatic stress disorder, resulting from the events of  
6 September 11, 2001 as of the effective date of this act for the remainder of his retirement. The  
7 accidental disability benefit shall be set in accordance with said section 7 of said chapter 32  
8 including, but not limited to, any and all survivor benefits. He shall be eligible for all other  
9 benefits pursuant to said section 7 of said chapter 32, and he shall receive all annual cost-of-  
10 living adjustments to his annual pension, as provided pursuant to section 102 of said chapter 32.

11           (b) Any retirement benefit provided to Jan Witkowski pursuant to this act shall be in lieu  
12 of, and not in addition to, any benefits he may have otherwise received from the Massport  
13 Employees' Retirement System.

14           SECTION 2. This act shall take effect on January 11, 2012.