

SENATE No. 1333

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. McGee

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 adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Robert F. Fennell</i>	<i>10th Essex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Steven M. Walsh</i>	<i>11th Essex</i>

SENATE No. 1333

By Mr. McGee, a petition (accompanied by bill, Senate, No. 1333) of Thomas M. McGee, Robert F. Fennell, Lori A. Ehrlich and Steven M. Walsh (with the approval of the mayor and city council) for legislation to adjust disability retirement benefits to Lynn police officer Gregory LeBlanc. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc.

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 the provisions of Section 91A of Chapter 32 of the
2 General Laws or any other general or special law or rule to the contrary, the accidental disability
3 retirement allowance payable to Gregory LeBlanc, a retired police officer of the City of Lynn
4 who, as a result of injuries sustained by him while in the performance of his duties while
5 responding to a felony, is totally and permanently disabled from further service as a police
6 officer, shall be adjusted as follows. Officer LeBlanc was critically injured and required multiple
7 emergency surgeries. The foregoing adjustments to the accidental disability retirement pensions
8 are further justified based upon other unique circumstantial factors.

9 SECTION 2. Notwithstanding Section 8 of Chapter 32 of the General Laws, upon the
10 approval of an accidental disability retirement, Gregory LeBlanc shall not have his retirement
11 allowance subject to modification as a result of earnings from alternative employment; provided
12 however, that he shall be required to submit earning reports to the public employee retirement

13 administration pursuant to Section 91A of Section 32 of the General Laws. Gregory LeBlanc
14 shall be subject to the limitation of earnings formula as set forth in Section 91A of Chapter 32,
15 with the ability to earn the amount described in said Section 91A plus an additional thirty-eight
16 percent (38%) of the regular compensation which would have been payable to him if he had
17 continued in the service in the grade held by him at the time he retired. If he earns in excess of
18 these allowable amounts, the public employee retirement administration shall inform him of the
19 excess amount earned and the amount owed by him to the retirement board of the City of Lynn.
20 The retirement administration shall, in its discretion, require repayment of that amount to the
21 retirement board or may withhold amounts as it considers appropriate from future allowable
22 payments until the amounts owed to the retirement board have been paid in full.

23 SECTION 3. The retirement allowances payable pursuant to this act shall remain subject
24 to all other provisions of Chapter 32 of the General Laws as if they had been granted as
25 accidental disability retirement benefits in the normal course of events pursuant to Chapter 32,
26 except to the extent that said Chapter 32 conflicts with this act.

27 SECTION 4. This act shall take effect upon its passage.