

HOUSE No. 3973

The Commonwealth of Massachusetts



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LIEUTENANT GOVERNOR

July 16, 2019

To the Honorable Senate and House of Representatives,

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as appearing in Article LXXXIX of said Amendments, I am filing for your consideration the attached legislation entitled, "An Act Relative to the Disability Retirement of Ryan Moore and Donald Demiranda, Police Officers in the Town of Falmouth."

I am filing this special legislation on behalf of the Falmouth Board of Selectmen, its Town Manager, and its Chief of Police.

Officers Moore and Demiranda are among the brave first responders who face the potential of life-threatening circumstances every day in order to serve and protect our communities. On July 27, 2018, they suffered injuries in the line of duty that permanently incapacitated each of them from performing his duties as a police officer. While no monetary measure will ever properly compensate for the sacrifice that Officers Moore and Demiranda have made, the town of Falmouth seeks to grant certain retirement benefits to them. This legislation would direct the Falmouth Retirement Board to retire both officers and provide each a pension that reflects the extent of their injuries and additional benefits, including indemnification for costs associated with related medical treatment not otherwise covered by health insurance.

I urge your early and favorable consideration of this bill.

Respectfully submitted,

Charles D. Baker,
Governor

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In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to the disability retirement of Ryan Moore and Donald Demiranda, police officers in the town of Falmouth.

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 Falmouth Retirement Board shall retire Ryan Moore, a police
3 officer in the Falmouth Police Department, who was injured in the line of duty and, as a result, is
4 permanently incapacitated from performing the essential duties of a police officer. The
5 retirement benefits shall be paid and administered in accordance with section 7 of chapter 32 of
6 the General Laws. Upon retirement, Ryan Moore shall receive a lump sum payment from the
7 Falmouth Retirement Board equal to his total accumulated retirement deductions.

8 (b) The annual amount of pension payable to Ryan Moore shall be equal to the regular
9 rate of compensation which would have been payable to him had he continued in service as a
10 police officer at the grade held by him at the time of his retirement. The payments shall continue
11 until his death or until he reaches age 65, whichever first occurs. The retirement shall become
12 effective commencing on the date immediately following the final day for which Ryan Moore
13 received regular compensation for such employment. The additional benefits granted in this act

shall be funded and administered by the Falmouth Retirement Board, consistent with and subject to said chapter 32, except that sections 8 and 91A of said chapter 32 shall not apply. All amounts paid under this act shall be nontaxable to the extent allowable under state law.

(c) Upon attaining age 65, Ryan Moore shall receive a pension pursuant to section 7 of said chapter 32, the yearly amount of which shall be equal to 80 per cent of the average annual amount of pension paid to him in the previous 12 months.

(d) If Ryan Moore shall be married at the time of his retirement, then, upon his death, said retirement board shall pay his surviving spouse if then living, a pension, payable in monthly installments in the amount of 75 per cent of the annualized amount of the pension payable to Ryan Moore on the date of his death. The pension shall be subject to section 103 of said chapter 32.

(e) Ryan Moore shall be indemnified by the town of Falmouth for hospital, medical and other healthcare expenses related to treatment of injuries sustained while in the line of duty on July 27, 2018, not otherwise covered by health insurance.

SECTION 2. (a) Notwithstanding any general or special law to the contrary and in order to promote the public good, the Falmouth Retirement Board shall retire Donald Demiranda, a police officer in the Falmouth Police Department, who was injured in the line of duty and, as a result, is permanently incapacitated from performing the essential duties of a police officer. The retirement benefits shall be paid and administered in accordance with section 7 of chapter 32 of the General Laws. Upon retirement, Donald Demiranda shall receive a lump sum payment from the Falmouth Retirement Board equal to his total accumulated retirement deductions.

(b) The annual amount of pension payable to Donald Demiranda shall be equal to the regular rate of compensation which would have been payable to him had he continued in service as a police officer at the grade held by him at the time of his retirement. The payments shall continue until his death or until he reaches age 65, whichever first occurs. The retirement shall become effective commencing on the date immediately following the final day for which Donald Demiranda received regular compensation for such employment. The additional benefits granted in this act shall be funded and administered by the Falmouth Retirement Board, consistent with and subject to said chapter 32, except that sections 8 and 91A of said chapter 32 shall not apply. All amounts paid under this act shall be nontaxable to the extent allowable under state law.

(c) Upon attaining age 65, Donald Demiranda shall receive a pension pursuant to section 7 of said chapter 32, the yearly amount of which shall be equal to 80 per cent of the average annual amount of pension paid to him in the previous 12 months.

(d) If Donald Demiranda shall be married at the time of his retirement, then, upon his death, said retirement board shall pay his surviving spouse if then living, a pension, payable in monthly installments in the amount of 75 per cent of the annualized amount of the pension payable to Donald Demiranda on the date of his death. The pension shall be subject to section 103 of said chapter 32.

(e) Donald Demiranda shall be indemnified by the town of Falmouth for hospital, medical and other healthcare expenses related to treatment of injuries sustained while in the line of duty on July 27, 2018, not otherwise covered by health insurance.

SECTION 3. This act shall take effect upon its passage.