



## The Commonwealth of Massachusetts

### **AN ACT** DIRECTING THE SOMERVILLE RETIREMENT BOARD TO RETIRE MARIO OLIVEIRA, A POLICE OFFICER OF THE CITY OF SOMERVILLE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows :*

Be it ordained by the Board of Aldermen of the City of Somerville that a petition be filed with the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

**SECTION 1.**            Notwithstanding the provisions of any general or special law to the contrary, the Somerville Retirement Board is hereby authorized and directed to retire Mario Oliveira, a police officer of the City of Somerville, who, as a result of injuries sustained while in the performance of his duties on November 2, 2010, is totally and permanently incapacitated from performing the essential duties of a police officer, upon determination in accordance with the procedures and requirements of section 7 of chapter 32 of the General Laws that he is unable to perform the essential duties of his job and that such inability is likely to be permanent and that he should be so retired.

The annual amount of pension payable to Mario Oliveira shall be fixed in an amount equal to the regular rate of compensation which would have been paid had he continued in service as a police officer of the city of Somerville at the grade held by him at the time of his retirement up until his death or reaching the mandatory retirement age

whichever comes first. The additional benefits granted herein shall be funded and administered by the Somerville Retirement Board, consistent with and subject to chapter 32 of the General Laws, except that sections 8 and 91A of Chapter 32 of the General Laws shall not apply.

Upon attaining the mandatory retirement age, Mario Oliveira shall receive a pension equal to 80 per cent of the annual rate of his regular compensation on the date such injury was sustained or such hazard was undergone, or equal to 80 per cent of the average annual rate of his regular compensation for the 12-month period for which he last received regular compensation immediately preceding the date his retirement allowance becomes effective, whichever is greater.

Such retirement shall become effective as of the date following the last day on which he received regular compensation.

**SECTION 2.** Mario Oliveira shall be entitled to receive indemnification for all hospital, medical and related expenses that have been or may be, incurred after the date of his retirement as a result of the injuries sustained by him while in the performance of his duties on November 2, 2010, according to the provisions of section 100 of chapter 41 of the General Laws.

**SECTION 3.** If Mario Oliveira is married at the time of retirement, then upon his death, should his wife survive him, the Somerville Retirement Board shall pay to her an annuity in the amount of three-fourths of the amount of the pension payable to him at the time of his death until her death or upon any remarriage by her. The pension shall be subject to section 103 of chapter 32 of the General Laws.

**SECTION 4.** This act shall be effective upon passage.

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# PETITION

**CHIEF SPONSOR:**

***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 passage of the accompanying bill or resolve.

[illegible]

**Use "TABLE > INSERT > ROWS BELOW" to add more lines for petitioners' signatures.**