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.

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 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 however all amounts paid hereunder shall be non-taxable.

Upon attaining the mandatory retirement age for a Somerville patrol officer, Mario Oliveira shall receive a pension pursuant to section 7 of chapter 32 of the General Laws, a yearly amount of pension equal to eighty (80) per cent of the annual rate of the compensation he was receiving on the day before he reaches the mandatory retirement age for a Somerville patrol officer.

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 and section 100B of chapter 41 of the General Laws.

SECTION 3.   In addition to the benefits granted herein and upon retirement, Mario Oliveira shall receive a lump sum from the Somerville Retirement Board equal to his total accumulated retirement deductions.

SECTION 4.   If Mario Oliveira is married at the time of retirement, then upon his death, should his wife Christine survive him, the Somerville Retirement Board shall pay to her an annuity in the amount of three-fourths of the amount of the pension which would have been otherwise payable to him until her death. The pension shall be subject to section 103 of chapter 32 of the General Laws.

SECTION 5.   In the event that both Mario Oliveira and his wife, Christine, die before their children reach the age of eighteen (18) or twenty-two (22), as provided herein, the

payments that would otherwise be made to Christine shall be payable, in equal shares,

to each child under the age of eighteen (18); provided, however, that payments shall

continue to the age of twenty-two (22) for any child who is enrolled as a full-time

student.

SECTION 6.   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.

PETITIONERS: LEGISLATOR/CITIZEN	DISTRICT/FULL MAILING ADDRESS

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