SENATE DOCKET, NO. 286 FILED ON: 1/19/2011

SENATE . . . . . No. 1264

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen M. Brewer

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:

An Act relative to death benefits to surviving spouses of firefighters and to other emergency personnel..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen M. Brewer	*Worcester, Hampden, Hampshire, Franklin*
James B. Eldridge	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 286 FILED ON: 1/19/2011

SENATE . . . . . No. 1264

By Mr. Brewer, petition (accompanied by bill, Senate, No. 1264) of Eldridge and Brewer for legislation relative to death benefits to surviving spouses of firefighters and other emergency personnel [Joint Committee on Public Service].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1015* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to death benefits to surviving spouses of firefighters and to other emergency personnel..

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

SECTION 1. Upon the death of any firefighter, any call, volunteer, auxiliary, intermittent, part-time or reserve firefighter, any emergency medical services provider, any call, volunteer, auxiliary, intermittent, part-time or reserve emergency medical services provider, any police officer, any auxiliary, intermittent, special, part-time or reserve police officer, who while in the performance of duties, and as a result of incident, accident or violence, is killed or sustains injuries which are the direct and proximate cause of death, the surviving spouse may participate in the group hospital, surgical, medical, dental and other health insurance for themselves and their dependents under age nineteen, or have attained age 22 if a full-time student, and such benefit shall continue for such children who are over age nineteen and physically or mentally incapacitated from earning, until the remarriage or death of said surviving spouse; provided that application for such insurance shall be filed with the appropriate public authority and a method for the payment of premiums shall be determined in accordance with its rules and regulations; and provided, further that said surviving spouse shall pay a premium at the same rate as retirees of the governmental unit from time to time as part of the total cost for such hospital, surgical, medical, dental and other health insurance. No payment shall be made under this section unless and until there is on file in the office of the city auditor, town accountant or officer having similar duties, a copy of the marriage certificate of the widow, a record of the birth of each dependent child under the age of nineteen, and medical certificate for each dependent child who

19 is physically or mentally incapacitated from earnings. The city auditor, town accountant or
20 officer having similar duties shall annually require, for the purpose of supporting continuance of
21 payments authorized under this section, such further certificates as may be necessary to evidence
22 that a widow has not remarried or a child over nineteen continues physically or mentally
23 incapacitated from earning. The words ?full-time student? shall mean a child who is in full-time
24 attendance in an accredited educational institution offering full-time courses of study equivalent
25 to or higher than secondary school study. The words ?accredited educational institution? shall
26 mean any school, college or university that is licensed, approved or accredited, as the case may
27 be, in the state in which it is located.

28 SECTION 2. This section shall take effect in a city, town or district upon its acceptance
29 in the following manner: In a city having a Plan D or Plan E charter by majority vote of its city
30 council; in any other city by vote of its city council, approved by the mayor; in a district by vote
31 of the registered voters of the district at a district meeting; and in a town by a vote of the
32 registered voters at a town meeting.