SENATE DOCKET, NO. 1688 FILED ON: 1/21/2011

SENATE . . . . . No. 1333

[LOCAL APPROVAL RECEIVED.]

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 passage of the accompanying:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas M. McGee	*Third Essex and Middlesex*
Robert F. Fennell	*10th Essex*
Lori A. Ehrlich	*8th Essex*
Steven M. Walsh	*11th Essex*

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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

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:

SECTION 1. Notwithstanding the provisions of Section 91A of Chapter 32 of the General Laws or any other general or special law or rule to the contrary, the accidental disability retirement allowance payable to Gregory LeBlanc, a retired police officer of the City of Lynn who, as a result of injuries sustained by him while in the performance of his duties while responding to a felony, is totally and permanently disabled from further service as a police officer, shall be adjusted as follows. Officer LeBlanc was critically injured and required multiple emergency surgeries. The foregoing adjustments to the accidental disability retirement pensions are further justified based upon other unique circumstantial factors.

SECTION 2. Notwithstanding Section 8 of Chapter 32 of the General Laws, upon the approval of an accidental disability retirement, Gregory LeBlanc shall not have his retirement allowance subject to modification as a result of earnings from alternative employment; provided however, that he shall be required to submit earning reports to the public employee retirement administration pursuant to Section 91A of Section 32 of the General Laws. Gregory LeBlanc shall be subject to the limitation of earnings formula as set forth in Section 91A of Chapter 32, with the ability to earn the amount described in said Section 91A plus an additional thirty-eight percent (38%) of the regular compensation which would have been payable to him if he had continued in the service in the grade held by him at the time he retired. If he earns in excess of these allowable amounts, the public employee retirement administration shall inform him of the excess amount earned and the amount owned by him to the retirement board of the City of Lynn. The retirement administration shall, in its discretion, require repayment of that amount to the retirement board or may withhold amounts as it considers appropriate from future allowable 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.