

HOUSE No. 4214

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack and Walter F. Timilty

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 adoption of the accompanying bill:

An Act providing for the retirement of William R. Cushing Jr., a police officer in the city known as the town of Braintree.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>12/6/2023</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Plymouth and Bristol</i>	<i>12/6/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>12/7/2023</i>

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By Representative Cusack of Braintree and Senator Timilty, a joint petition (accompanied by bill, House, No. 4214) of Mark J. Cusack, Walter F. Timilty and John F. Keenan (by vote of the town) that the city known as the town of Braintree be authorized to provide for the retirement of William R. Cushing Jr., a police officer in said city. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act providing for the retirement of William R. Cushing Jr., a police officer in the city known as the town of Braintree.

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 retirement board of the city known as the Town of Braintree
3 shall retire William R. Cushing Jr., a police officer in the Braintree Police Department, who was
4 injured in the line of duty and, as a result, is permanently incapacitated from performing the
5 essential duties of a police officer. The retirement benefits shall be paid and administered in
6 accordance with section 7 of chapter 32 of the General Laws. Upon retirement, William R.
7 Cushing Jr. shall receive a lump sum payment from the retirement board equal to his total
8 accumulated retirement deductions.

9 (b) The annual amount of pension payable to William R. Cushing Jr. shall be equal to the
10 regular rate of compensation that would have been payable to him had he continued in service as
11 a police officer at the grade held by him at the time of his retirement until his death or until

12 reaching age 65, whichever first occurs. The retirement shall become effective commencing on
13 the date immediately following the final day for which William R. Cushing Jr. received regular
14 compensation for such employment. The additional benefits granted in this act shall be funded
15 and administered by the retirement board of the city known as the Town of Braintree, consistent
16 with and subject to said chapter 32, except that sections 8, 91 and 91A of said chapter 32 shall
17 not apply. All amounts paid under this act shall be exempt from state and local taxation, and
18 exempt from federal taxation to the extent allowable under federal tax law.

19 (c) Upon attaining age 65, William R. Cushing Jr. shall receive a pension pursuant to
20 section 7 of said chapter 32, the yearly amount of which shall be equal to 80 percent of the
21 average annual rate of compensation paid to him in the previous 12 months.

22 (d) Upon the death of William Cushing, the retirement board of the Town of Braintree
23 shall pay his surviving named beneficiary, if then living, a pension, payable in monthly
24 installments, in the amount of 75 per cent of the annualized amount of the pension payable to
25 William Cushing on the date of his death. This pension shall be subject to 103 of said chapter
26 32.

27 (e) William R. Cushing Jr. shall be indemnified for hospital, medical and other healthcare
28 expenses related to treatment of injuries sustained while in the line of duty on June 4, 2021 not
29 otherwise covered by health insurance.

30 SECTION 2. This act shall take effect upon its passage.