

SENATE No. 1508

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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 to provide certain retirement benefits and medical benefits to the widow and children of Everett Firefighter Thaddeus M Baxter, Jr..

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/24/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/31/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/8/2019</i>

SENATE No. 1508

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 1508) of Sal N. DiDomenico, Michael D. Brady, Patrick M. O'Connor, Diana DiZoglio and others for legislation to provide certain retirement benefits and medical benefits to the widow and children of Everett Firefighter Thaddeus M Baxter, Jr. . Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to provide certain retirement benefits and medical benefits to the widow and children of Everett Firefighter Thaddeus M Baxter, Jr..

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. Notwithstanding section 7 of chapter 32 of the General Laws or any general
2 or special law to the contrary, and in order to promote the public good, there shall be paid an
3 accidental death benefit from the Everett Retirement Board to Nicole Baxter, the widow of
4 Thaddeus M. Baxter, Jr. a former firefighter of the City of Everett who died on November 9,
5 2018 as the result of condition of impairment of health, including post-traumatic stress disorder,
6 suffered while performing the essential duties of a firefighter. The benefits shall be paid and
7 administered in accordance with section 9 of chapter 32 of the General Laws. Nicole Baxter shall
8 receive a lump sum payment from the Everett Retirement Board equal to the amount of total
9 accumulated retirement deductions credited to the account of Thaddeus M. Baxter, Jr. in the
10 annuity savings fund.

11 SECTION 2. Nicole Baxter shall receive an Accidental Death Benefit allowance which
12 shall consist of a yearly amount of pension equal to seventy-two percent of the annual rate of
13 regular compensation being paid to Thaddeus M. Baxter, Jr. on the date of his death.

14 SECTION 3. This Accidental Death Benefit shall become effective commencing on the
15 date immediately following the final day for which Thaddeus M. Baxter, Jr. received regular
16 compensation for such employment.

17 SECTION 4. Nicole Baxter shall be eligible for health insurance with the city of Everett
18 on the same basis as other retirees and survivors and shall be responsible for the retirees' share of
19 premiums.

20 SECTION 5. If at any time there is no spouse eligible to receive such pension under the
21 provisions of paragraph (a) of this subdivision, then it shall be paid to a legal guardian for the
22 benefit of any surviving unmarried children of such member who are under the age of 18, or are
23 over that age and under age 22 and full time students at accredited educational institutions, or
24 who were over said age and physically or mentally incapacitated from earning on the date of
25 such member's death. Such pension shall be divided for the benefit of such children in such a
26 manner as the board shall from time to time determine, and shall be paid so long as any such
27 child survives, remains unmarried and is under age 18, or is over that age and under age 22 and
28 is a full-time student at an accredited educational institution, or if over said age remains
29 physically or mentally incapacitated from earning.