

**SENATE . . . . . No. 2042**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Kenneth J. Donnelly***

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*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 the disability retirement of Woburn police officer Robert DeNapoli.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Kenneth J. Donnelly*

*Fourth Middlesex*

*James J. Dwyer*

*30th Middlesex*

**SENATE . . . . . No. 2042**

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By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 2042) of Kenneth J. Donnelly and James J. Dwyer for legislation relative to the disability retirement of Woburn police officer Robert DeNapoli. Public Service. [Local Approval Received.]

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Fourteen**  
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An Act relative to the disability retirement of Woburn police officer Robert DeNapoli.

*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 any general or special law to the contrary and in order to  
2 promote the public good, the Woburn retirement board is directed to retire Robert DeNapoli, a  
3 Woburn Police Department Officer who was seriously injured in the line of duty on September 6,  
4 2011, and as a result, is totally and permanently incapacitated from performing the essential  
5 duties of a police officer. Said benefits shall be paid and administered in accordance with  
6 section 7 of chapter 32 of the General Laws.

7 SECTOIN 2. In addition to the retirement benefits granted under section of Chapter 32  
8 hereunder, the city of Woburn shall grant Robert DeNapoli additional benefits, such that he will  
9 receive, on a pre-tax basis, additional sums that together with his benefits under said section 7 of  
10 chapter 32, shall equal the regular rate of compensation which would have been payable to the  
11 said Robert DeNapoli had he continued in service as a police officer of the police department of  
12 the city of Woburn at the grade held by him at the time of his retirement. Such retirement shall  
13 become effective commencing on the date immediately following the final day for which he  
14 received regular compensation for such employment. This increased disability retirement  
15 allowance shall end when the said Robert DeNapoli turns 65 years of age at which time his  
16 disability retirement allowance shall revert to an amount equal to 80 per cent of the average  
17 annual rate of compensation paid in the previous 12 months, or upon his death, whichever first  
18 occurs. The additional benefits granted herein shall be funded and administered by the Woburn  
19 retirement board, consistent with and subject to said chapter 32, except that sections 8 and 91A  
20 of said chapter 32 shall not apply. Further, upon retirement, Robert DeNapoli shall receive a  
21 lump sum payment from the Woburn retirement board of total accumulated retirement  
22 deductions.

23           SECTION 3. If the said Robert DeNapoli is married at the time of retirement, then upon  
24 his death, the Woburn retirement board is directed to pay to such surviving spouse, if then living,  
25 a pension, payable in monthly installments, in the amount of three-fourths of the annualized  
26 amount of the pension payable to the said Robert DeNapoli on the date of death. Said pension  
27 shall be subject to section 103 of chapter 32.

28           SECTION 4. The said Robert DeNapoli shall be indemnified for hospital, medical, and  
29 other healthcare expenses related to treatment of injuries sustained while in the line of duty on  
30 September 6, 2011, or not otherwise covered by health insurance.

31           SECTION 5. This act shall take effect upon its passage.