



Offered by Councilor Lydia Edwards and Ed Flynn, Arroyo,
Baker, Bok, Breadon, Fernandes Anderson, Flaherty, Lara,
Louijeune, Mejia, Murphy, and Worrell

**CITY OF BOSTON
IN CITY COUNCIL**

**IN THE YEAR TWO THOUSAND AND TWENTY-TWO
HOME RULE PETITION**

WHEREAS: **Elaina McAlister** sustained life threatening injuries while in the performance of her duties as a Boston Emergency Medical Technician when she was violently attacked and stabbed multiple times while rendering first aid to a patient during ambulance transport, and as a result is incapacitated from further service as an emergency medical technician; *NOW THEREFORE BE IT*

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**PETITION FOR A SPECIAL LAW RE: AN ACT REGARDING THE DISABILITY PENSION
FOR ELAINA MCALISTER**

Section 1. Notwithstanding the provision of any general or special law or rule or regulation to the contrary, and in order to promote the public good, the State-Boston Retirement Board is hereby authorized and directed to increase the accidental disability retirement allowance payable to Elaina McAlister, a retired emergency medical technician of the City of Boston who, as a result of injuries sustained while in the performance of her duties on July 10, 2019, is totally and permanently disabled from further service as an emergency medical technician.

Section 2. The total annual amount of pension payable to Elaina McAlister shall be equal to the regular rate of compensation which would have been paid had she continued in service as an emergency medical technician of the Boston Emergency Medical Services of the City of Boston at the grade held by her at the time of her retirement, so long as any income derived by Elaina McAlister hereafter is not earned performing an emergency

medical technician function. The additional benefits granted in this act shall be funded and administered by the Boston Retirement Board, consistent with and subject to chapter 32 of the General Laws, except that in regard to section 91A of said chapter 32 the limit on the amount that Elaina McAlister's annual earnings, when added to her retirement allowance, may exceed without refund penalty the amount of regular compensation which would have been payable to her if she had continued in service as an emergency medical technician of the Boston Emergency Medical Services of the City of Boston in the grade held by her at the time she was retired, shall be set at \$100,000 rather than \$15,000. All amounts paid under this act shall be nontaxable.

(a) Such increase in retirement shall become effective commencing on the date for which she received an accidental disability retirement from the State-Boston Retirement Board.

(b) Upon enactment, the State-Boston Retirement Board shall forthwith pay to said Elaina McAlister the amount credited to her as accumulated total deductions in the annuity savings fund of the State-Boston Retirement Board. Said Elaina McAlister shall be entitled to receive indemnification for all hospital, medical and related expenses that have been or may be incurred after the date of her retirement as a result of said injuries, pursuant to the provisions of Chapter 41 of the General Laws.

Section 3. Upon the Death of Elaina McAlister, should her husband survive her, the State-Boston Retirement Board shall pay to him an annuity in the amount of three-fourths of the amount of the pension payable to her, per month, at the time of her death. In the event that both Elaina McAlister and her husband die before their children reach the age of eighteen (18) or twenty-two (22), as provided herein, the payments that would otherwise be made to Elaina McAlister pursuant to Section 2 shall be payable, in equal shares, to each child under the age of eighteen (18); provided, however, that payments shall continue to the age of twenty-two (22) for any child who is enrolled as a full-time student.

Section 4. This act shall take effect upon passage.

Filed: March 30, 2022