

**The Commonwealth of Massachusetts**

**MEMORANDUM OF THE MASSACHUSETTS SECRETARY OF STATE IN RESPECT TO THE PETITION OF THEODORE J. ALEIXO, JR. RELATIVE TO THE AMOUNT OF RETIREMENT BENEFITS WHICH MAY BE PAID BY THE TAUNTON POLICE MUTUAL BENEFIT ASSOCIATION, INC.**

March 30, 1982.

*To the Honorable Senate and House of Representatives:*

On March 1, 1982 the Clerk of the House transmitted the above-referenced petition with accompanying bill to me with a request for a memorandum. Said petition is subject to the provisions of Massachusetts General Laws, Chapter 3, section 7. In compliance with that section, a request for additional information showing why the object sought cannot be accomplished under the General Laws was sent via certified mail to the above-named petitioner. Petitioner's reply is attached for your information.

The Taunton Police Mutual Benefit Association, Inc. was organized under Chapter 176 of the General Laws. On January 22, 1958 articles of incorporation were filed in the Secretary's Office as required by section 4 of Chapter 176. The corporation was organized to pay a \$5000.00 maximum death benefit and \$75.00 maximum weekly sick benefit to members. Membership was limited to regular permanent members and retired members of the Taunton Police Department. Finally, Chapter 211 of the Acts of 1976 authorized the payment of a \$1000.00 retirement benefit to members of the association. Chapter 211 also provided that a member who elected to receive the retirement benefit would then cease to be a member of the association and forfeit his right to receive additional benefits.

The bill before you seeks to increase the amount of the retirement benefit to a maximum amount of \$5000.00.

The subject of the proposed legislation comes within the purview of the Commissioner of Insurance, and it is respectfully suggested that an opinion be sought from that office.

Further, it would appear that special legislation is not necessary to effect the desired result. Massachusetts General Laws, Chapter 176, section 6 provides for filing a certificate of change of purpose with this office. It is, however, within your authority to make use of the legislative method to accomplish this sought after change. This office has no opinion on the merits of the proposed bill, and no fee is required to be paid the Commonwealth by the corporation of this type under Chapter 3, section 7.

Respectfully submitted,

MICHAEL JOSEPH CONNOLLY,  
*Secretary of State.*

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By Mr. Aleixo of Taunton, petition of Theodore J. Aleixo, Jr., relative to the amount of retirement benefits which may be paid by the Taunton Police Mutual Benefit Association, Inc. Insurance.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-Two.

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AN ACT RELATIVE TO THE AMOUNT OF RETIREMENT BENEFITS WHICH MAY BE PAID BY THE TAUNTON POLICE MUTUAL BENEFIT ASSOCIATION, INC.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 Chapter 211 of the Acts of 1976 is hereby amended by striking
- 2 out after the words "city of Taunton," in line 6, the words, "the sum
- 3 of one thousand dollars," and inserting in place thereof the
- 4 words: — an amount not to exceed five thousand dollars.

