

I am writing to you to seek your assistance in correcting what appears to be an unintended consequence from the passage of Chapter 21 of the Acts of 2009, "An Act Providing Responsible Reforms in the Pension System". Section 8 of this Act inadvertently changes the calculation of all injured firefighters and police officers pensions from 72% of their regular compensation they received on their last day of employment or the previous last 12 months which ever is higher to 72% of their regular compensation that they were receiving on the date of injury. This is a significant reduction that was never discussed and was never an issue during the proceedings on "Disability Reforms".

The issue I am writing to you about today is not the "King for a Day" provision. The punitive changes mentioned above are affecting public safety personnel who are injured in the Line of Duty while serving in their permanent rank and must subsequently retire because of a permanent disability.

I do not believe any legislator wants firefighters or police officers to begin second guessing whether or not to risk their life and limb for others because a permanent injury would place their family in financial jeopardy. Firefighters injured while performing their regular permanent duties, should not be unjustly punished by Legislation that was attempting to correct specific problems with the pension system.

I am asking you to support deleting the language of Section 8 of Chapter 21 of the Acts of 2009 and insert in place the following:

(ii) A yearly amount of pension equal to 72% of the annual rate of his regular compensation on the date such injury was sustained or such hazard was undergone, or equal to 72% of the average annual rate of his regular compensation for the twelve month period for which he last received regular compensation immediately preceding the date his retirement allowance becomes effective, whichever is greater; provided however, that if an individual was in a temporary or acting position on the date such injury was sustained or hazard undergone the amount to be provided under this sub-division shall be based on the average annual rate of the individual's regular compensation during the previous 12 month period for which he last received regular compensation immediately preceding the date of such injury was sustained or such hazard was undergone; provided further.

I want to thank you for your prompt attention to this matter as the end of formal sessions is on November 18, 2009. It would be a great injustice if this issue was not fixed during this legislative session.

Sincerely,