HOUSE DOCKET, NO. 1603 FILED ON: 1/20/2011

HOUSE . . . . . No. 1594

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato Manuel deMacedo

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 definition of veteran for public retirees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	*1st Plymouth*
Sheila C. Harrington	*1st Middlesex*

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HOUSE . . . . . No. 1594

By Mr. deMacedo of Plymouth, a petition (accompanied by bill, House, No. 1594) of Viriato Manuel deMacedo and Sheila C. Harrington relative to the yearly retirement allowance paid to certain veterans. Public Service.

The Commonwealth of Massachusetts

An Act relative to the definition of veteran for public retirees.

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

SECTION 1. Paragraph (b) of subsection (2) of section 5 of chapter 32, as appearing in the 2008 Official Edition, is hereby amended by adding the following 5 sentences:-

Upon acceptance of this provision by a retirement system, any member who is a veteran, as defined by clause 43 of section 7 of chapter 4 and who retired under the provisions of sections 5, 10 (1) and 26 (3) of this chapter, before May 28, 2004, without receiving the additional yearly allowance as a veteran provided therein, shall receive such additional yearly allowance as a veteran under paragraph (b) of subdivision (2) of section 5 or paragraph (c) of subdivision (3) of section 26 of this chapter, whichever is applicable. Acceptance of this provision by a retirement system shall be by a majority vote of the board of each such system, subject to the approval of the legislative body. For the purposes herein, “legislative body” shall mean, in the case of a city, the city council in accordance with its charter, in the case of a town, the town meeting, in the case of a county, the county retirement board advisory council, in the case of a region, the regional retirement board advisory council, in the case of a district, the district members, and, in the case of an authority, the governing body. Acceptance shall be deemed to have occurred upon the filing of a certification of such votes with the commission. For purposes herein, the state teachers’ and state employees’ retirement systems shall be deemed to have accepted this provision.

SECTION 2. The provisions of this act shall be prospective from the date of acceptance of this act and shall not entitle a member, who is entitled to benefits under section 1, to any retroactive benefits.