HOUSE DOCKET, NO. 1144 FILED ON: 1/19/2011

HOUSE . . . . . No. 1665

The Commonwealth of Massachusetts

PRESENTED BY:

Martin J. Walsh

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 retirement law..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martin J. Walsh	*13th Suffolk*

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HOUSE . . . . . No. 1665

By Mr. Walsh of Boston, a petition (accompanied by bill, House, No. 1665) of Martin J. Walsh relative to the retirement options of certain public safety personnel. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2660* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to retirement law..

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 subdivision (1) of section twenty-two of chapter 32 is hereby amended by adding after the words "July first nineteen hundred and ninety-six" the last time they appear, the following words: - and withhold on each payday ten percent of the regular compensation of each employee who is eligible to receive benefits provided for pursuant to section twenty-six A of this chapter.

SECTION 2. Chapter 32 of the General Laws is hereby amended by inserting after section twenty-six the following section: -

Section 26A. (1) As used in this section, the following words shall, unless the context otherwise requires, have the following meanings:

"Public Safety Officer" a uniformed member of a paid fire department or permanent member of a police department or to any permanent crash crewman, crash boatman, fire controlman or assistant fire controlman employed at the General Edward Lawrence Logan International Airport, or a probation officer and court officer employed by the trial court, or a parole officer, or a state environmental police officer, or a state corrections program officer, or a University of Massachusetts campus police officer, or a Bureau of Special Investigations investigator, all state and county corrections officer series currently governed under Chapter 32, Section 28M, inclusive of inmate transportation officers or a social worker employed by the Department of Mental Health, Forensic Division.

19 (a) Any public safety officer shall be retired by the appropriate retirement board upon his
20 attaining age sixty-five; provided that any such public safety officer who has performed service
21 as a public safety officer for not less than twenty years and who has not attained the age of sixty-
22 five may elect to retire pursuant to the provisions of this subdivision. (b) Upon retirement under
23 the provisions of this subdivision, a member shall receive a retirement allowance to become
24 effective on the date of his retirement. Payments under such retirement allowance shall be made
25 as provided for in sections twelve and thirteen and the normal yearly amount thereof shall be
26 equal to sixty percent of the average annual rate of his regular compensation received by such
27 member during any period of three consecutive years of creditable service for which such rate of
28 compensation was the highest, or on the average annual rate of regular compensation received by
29 such member during the period or periods, whether consecutive or not, constituting his last three
30 years of creditable service preceding his retirement, whichever is the greater, provided, that the
31 total amount of the allowance shall be increased by one-twelfth of three percent for each full
32 month of services excess of twenty years of service; provided, however, that such retirement
33 allowance shall in no case exceed 80 percent of such regular compensation.

34 Any such member retired under the provision of this subdivision who is a veteran as
35 defined in section one shall receive an additional retirement allowance of fifteen dollars for each
36 year of creditable service or fraction thereof; provided, that the total amount of said additional
37 retirement allowance shall not exceed three hundred dollars in any case.

38 (4) Section five, six, eight and sixteen, subdivisions (1) to (3), inclusive, or section ten,
39 and all other provisions of sections one to twenty-eight, inclusive, which are inconsistent with
40 any provisions of this section, shall not apply to any member so classified under this section.

41 SECTION 3. Any member of a retirement system who meets the definition of public
42 safety officer as defined by section twenty-six A of chapter thirty-two on the effective date of
43 this act may elect in writing to participate in the alternative public safety retirement benefit
44 provided under said section twenty-six A within ninety days of the sate this act takes effect. Any
45 such election shall become effective on the first day of the pay period next following such
46 election and shall constitute a waiver of any retirement benefits provided under section five or
47 section ten of chapter thirty-two. Any member making such an election shall be required to
48 make a minimum if three years of retirement contributions at the rate of ten percent; provided
49 however, that if said member chooses to retire before he has made said three years of
50 contribution at ten percent the member shall have deducted from his retirement allowance an
51 amount equal to the contributions that would have been made had such member remained in
52 service for three years rate of regular compensation from which he retired. The election by an
53 eligible member to participate in the alternative public safety retirement benefit provided for
54 under said section twenty-six A shall be irrevocable.