HOUSE DOCKET, NO. 2735 FILED ON: 1/21/2011

HOUSE . . . . . No. 2484

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Stat Smith

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 treating veterans equally under the pension laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Stat Smith	*28th Middlesex*
Christine E. Canavan	*10th Plymouth*

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By Mr. Smith of Everett, a petition (accompanied by bill, House, No. 2484) of Stephen Stat Smith and Christine E. Canavan relative to the pensions of veterans retiring under the public employees retirement law. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2584* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to treating veterans equally under the pension laws.

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. Section 1 of chapter 32 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by striking out, in line 121, the words “sections one to twenty-eight inclusive”, and inserting in place thereof the following words: - “this chapter”.

SECTION 2. Said section 1 is hereby further amended by striking out, in line 299, the words “sections one to twenty-eight, inclusive”, and inserting in place thereof the following words: -“this chapter”.

SECTION 3. Said section 1 is hereby further amended by striking out, in line 306, the words “sections one to twenty-eight inclusive”, and inserting in place thereof the following words: -“this chapter”.

SECTION 4. Said section 1 is hereby further amended by striking out, in line 493 to 494, the words “sections one to twenty-eight, inclusive”, and inserting in place thereof the following words: -“this chapter”.

SECTION 5. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws, as so appearing, is hereby amended by striking out the fourth paragraph, and inserting in place thereof the following paragraph: -

16 “Notwithstanding the provisions of this chapter, including the provisions of
17 sections 3 and 65D, or any other general or special law, rule or regulation to the contrary, a
18 member in service of any retirement system governed by the provisions of this chapter who
19 served honorably in the armed forces of the United States shall be entitled to credit for active
20 service in the armed services of the United States; provided, however, that such active service
21 shall not be credited until such member has paid into the annuity savings fund of such system, in
22 one sum or in installments, upon such terms and conditions as the board may prescribe, makeup
23 payments, for each year of creditable service sought, of an amount equal to the ten percent of the
24 regular annual compensation of the member when said member entered the retirement system;
25 and, provided further that such creditable service shall not be construed to include service for
26 more than four years provided further, that such creditable service shall not be allowed for any
27 period of active service for which said member has received credit pursuant to paragraph (h) of
28 subsection (1) of section 4 of chapter thirty-two of the General Laws or for which said member
29 receives a federal military pension. This act shall apply to Massachusetts National Guard and
30 Active Reserve personnel, both former and present. Creditable service time, both enlisted and
31 commissioned may be applied toward retirement on a ratio of five years guard service or five
32 years active reserve service substitutable for each year of active service.”

33 SECTION 6. Section 3 of chapter 71 of the acts of 1996 is hereby amended by
34 striking out the second paragraph, as amended by section 2 of chapter 468 of the acts of 2002,
35 and inserting in place thereof the following paragraph: -

36 Members in service of a retirement system eligible for said creditable service
37 under this act shall make application for said creditable service not earlier than the date of
38 becoming eligible and not later than 180 days after being notified by the retirement board of their
39 eligibility after becoming vested in the retirement system, or for currently eligible members,
40 within 180 days of the acceptance of this act by the local legislative body.