SENATE DOCKET, NO. 224 FILED ON: 1/18/2011

SENATE . . . . . No. 1306

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 increasing the cost of living adjustment (cola) base..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Patricia D. Jehlen	☐ *[District]* ☐
Sonia Chang-Diaz	☐ *[District]* ☐
Sal N. DiDomenico	*Middlesex, Suffolk, and Essex*
James J. Dwyer	*30th Middlesex*
John V. Fernandes	*10th Worcester*
Brian A. Joyce	*Norfolk, Bristol, and Plymouth*
Thomas M. McGee	*Third Essex and Middlesex*
Joyce A. Spiliotis	*12th Essex*
Thomas M. Stanley	*9th Middlesex*

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SENATE . . . . . No. 1306

By Ms. Jehlen, petition (accompanied by bill, Senate, No. 1306) of Stanley, Spiliotis, McGee and other members of the General Court for legislation to increase the cost of living adjustment (cola) base [Joint Committee on Public Service].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1085* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to increasing the cost of living adjustment (cola) base..

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. Subdivision (1) of section 22C of chapter 32 of the General Laws, as appearing in the 2008 Official Edition, is hereby further amended by striking out, in the first sentence of the second paragraph thereof, the words “June 30, 2025” and inserting in place thereof the following words, June 30, 2028.

SECTION 2. Section 22D of said chapter 32, as so appearing, is amended by inserting in line 29 after the word “approve” the following words: - provided further, however, that in the event that a system has accepted the provisions of paragraph (j) of Section 103, the funding schedule, and any updates thereto, shall be designed to reduce the unfunded actuarial liability of said system to zero as of such year, that may be subsequent to June 30, 2028, as the commission shall approve.

SECTION 3. Paragraph (c) of section 102 of said chapter 32, as so appearing, is amended by striking out in lines 32, 36 and 43 the dollar amount “$12,000” and inserting in place thereof the following dollar amount: - $16,000.

SECTION 4. Section 103 of said chapter 32 is amended by inserting the following new paragraph: -

16 (j) Notwithstanding the provisions of paragraph (a) to the contrary, the board of any
17 system may, by accepting the provisions of this paragraph as hereinafter provided, elect to pay a
18 cost-of-living adjustment on a base amount greater than $12,000. Acceptance of this paragraph
19 shall be by a majority vote of the board of such system, subject to the approval of the legislative
20 body. For the purpose of this paragraph, "legislative body" shall mean, the city council in
21 accordance with its charter, in the case of a town, the town meeting, in the case of a county or
22 region, the county or regional retirement board advisory council, in the case of a district, the
23 district members, and, in the case of an authority, the governing body. Acceptance of this
24 paragraph shall be deemed to have occurred upon the filing of the certification of such vote with
25 the commission. A decision to accept the provisions of this paragraph may not be revoked.
26 Notwithstanding the provisions of subdivision (6A) of Section 22 or Section 22D to the contrary,
27 for each system that has accepted the provisions of this paragraph, the board, in consultation with
28 the commission, shall prepare a funding schedule which shall reflect the costs and the actuarial
29 liabilities attributable to the cost of living allowance that may be paid in accordance with the
30 provisions of this paragraph and said schedule shall be designed to reduce the applicable
31 retirement system's pension liability to zero by such year, that may be subsequent to June 30,
32 2028, as approved by the commission. The board shall file revised funding schedules triennially
33 with the joint committee on public service until such costs and liabilities are reduced to zero.

34 SECTION 5. The provisions of sections one and three of this act shall take effect for cost
35 of living adjustments to be made, in accordance with the provisions of section 102 of said
36 chapter 32, commencing July 1, 2011.