

**HOUSE . . . . . No. 3936**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to education reform and relief..

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

1 SECTION 1. Chapter 29 of the General Laws is hereby amended by adding the  
2 following section:-

3 Section 72. Distributions paid to cities and towns shall be determined and announced no  
4 later than March 1 of each calendar year.

5 SECTION 2. Chapter 31 of the General Laws is hereby amended by adding the  
6 following section:-

7 Section 78. The provisions of this chapter shall not relate to any municipal employees  
8 hired after October 1, 2009 except for municipal police officers and firefighters.

9 SECTION 3. Section 10 of Chapter 32 of the General Laws, as appearing in the 2006  
10 Official Edition, is hereby amended by striking out in line 4 the words:- “or fails of nomination  
11 or re-election”

12 SECTION 4. Said chapter 32 of the General Laws, as so appearing in the 2006 Official  
13 Edition, is hereby further amended by inserting after section 22 the following section:-

14 Section 22 ½ . The provisions of this chapter relating to defined benefit plans shall not  
15 apply to any employee hired after October 1, 2009. They shall be covered by 401(K) coverage  
16 with the state, county, city or town providing a 7 per cent match. Any employee not vested as of  
17 October 1, 2009 may elect to participate in 401(K) coverage, and associated accrued defined  
18 benefits may be transferred to 401(K) coverage with state, county, or municipal 7 per cent match.  
19 Disability pensions shall continue for such employees who sustain job related injuries that  
20 prohibit them from performing work in any gainful capacity. Disability pensions shall be based  
21 on the regular salary of the employee and not that of any employee his is filling in for. All  
22 pensions funds shall be managed by the PRIM board.

23 SECTION 5. Said chapter 32 is hereby further amended by adding the following 2  
24 sections:- Section 106. Any person who knowingly provides false information to obtain pension  
25 benefits or accepts unearned benefits shall be punished by imprisonment in a prison for not more  
26 that 5 years.

27 Section 107. Employee shall not automatically be allowed to inflate pensions with raises  
28 and additional compensation during their final year of service and shall be prohibited from  
29 receiving pensions greater than their salary at retirement.

30 SECTION 6. Section 2 of chapter 32B of the General Laws, as so appearing, is hereby  
31 amended by striking out the word “twenty” in line 30 and inserting in place thereof the figure:-  
32 30

33 SECTION 7. Section 19 of said chapter 32B of the General Laws, as so appearing, is  
34 hereby amended by striking out in line 6 the word “may instead elect to” and inserting in place  
35 thereof the word:- shall

36           SECTION 8. The first paragraph of subsection (a) of said section 19 of said chapter 32B,  
37 as so appearing is hereby amended by striking out the last sentence.

38           SECTION 9. Said subsection (a) of said section 19 of said chapter 32B, as so appearing,  
39 is hereby further amended by striking out the second, third and fourth paragraphs.