

HOUSE No. 3939

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to municipal relief and reform..

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

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

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

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

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

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

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

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

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

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

SECTION 6. Section 2 of chapter 32B of the General Laws, as so appearing, is hereby amended by striking out the word “twenty” in line 30 and inserting in place thereof the figure:-
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SECTION 7. Section 19 of said chapter 32B of the General Laws, as so appearing, is hereby amended by striking out in line 6 the word “may instead elect to” and inserting in place thereof the word:- shall

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

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