

HOUSE No. 3748

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

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 adoption of the accompanying bill:

An Act authorizing the board of commissioners of the Franklin County Regional Housing and Redevelopment Authority to offer a limited early retirement incentive.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>9/21/2011</i>
<i>Stanley C. Rosenberg</i>	<i>Hampshire, Franklin and Worcester</i>	<i>9/21/2011</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>9/21/2011</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>	<i>9/23/2011</i>
<i>Benjamin B. Downing</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>9/22/2011</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>9/26/2011</i>

HOUSE No. 3748

By Mr. Kulik of Worthington, a petition (subject to Joint Rule 12) of Stephen Kulik and others for legislation to authorize the board of commissioners of the Franklin County Regional Housing and Redevelopment Authority to offer a limited early retirement incentive program for employees of said authority. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act authorizing the board of commissioners of the Franklin County Regional Housing and Redevelopment Authority to offer a limited early retirement incentive.

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. Notwithstanding Chapter 32 of the General Laws or any other general or
2 special law to the contrary, the board of commissioners of the Franklin County Regional
3 Housing and Redevelopment Authority hereinafter referred to as FCRHRA may establish an
4 early retirement incentive program for employees of the agency subject to the following
5 provisions:

6
7 (1) The program shall apply to active employees of the FCRHRA who are active
8 members of the Franklin regional retirement system on the effective date of this act, and who are
9 eligible to receive a superannuation retirement allowance in accordance with paragraph (a) of
10 subdivision (1) of section 5 of said chapter 32 upon the effective retirement date specified in his
11 written application to the retirement system.

12 (2) Notwithstanding said chapter 32 to the contrary, the normal yearly amount of the
13 retirement allowance for an eligible employee shall be based on the average annual rate of
14 regular compensation as determined under paragraph (a) of subdivision (2) of said section 5 of
15 said chapter 32 and shall be computed according to the table contained in said paragraph (a)
16 based on the age of such member and his number of years and full months of creditable service
17 at the time of his retirement increased either by adding up to 3 years of age or by adding up to 3
18 years of creditable service or by a combination of additional years of age and service the sum of
19 which shall not be greater than 3.

20 (3) The board of commissioners of the FCRHRA may limit the total number of
21 employees for whom it will approve a retirement calculated under this act or the total number of
22 employees within each functional department of the agency for whom it will approve a
23 retirement calculated under this act; provided, however, f, that if participation is limited, the
24 retirement of employees with greater years of creditable service shall be approved before
25 approval shall be given to employees with lesser years of creditable service.

26 (4) The total normal yearly amount of the retirement allowance, as determined in
27 accordance with section 5 of said chapter 32, of an eligible employee who retires and receives an
28 additional benefit under the early retirement incentive program in accordance with this section
29 shall not exceed 80 per cent of the average annual rate of his regular compensation received
30 during any period of 3 consecutive years of creditable service for which the rate of compensation
31 was the highest or of the average annual rate of his regular compensation received during the
32 periods, whether or not consecutive, constituting his last 3 years of creditable service preceding
33 retirement, whichever is greater.

34 (5) Words used in this act shall have the same meaning as they are used in said chapter 32
35 unless otherwise expressly provided or unless the context clearly requires otherwise.

36 SECTION 2.:

37 (1) The executive director of the FCRHRA shall submit a draft plan to the board of
38 commissioners of the FCRHRA within 10 days of the effective date of this act, with a copy to
39 the public employee retirement administration commission. The plan shall include limits, if any,
40 on the total number of employees that will be permitted to participate in the plan, or the number
41 of employees in each functional department, as well as an estimate of the additional pension cost
42 liability that the agency will incur as a result of employee participation in the plan.

43 (2) Within 14 days of receiving the executive director's recommendation, the board of
44 commissioners of the FCRHRA may approve an early retirement incentive plan, and shall make
45 the approved plan available to eligible employees immediately.

46 (3) Eligible employees may make written application for retirement to Franklin regional
47 retirement system under the FCRHRA early retirement incentive plan within 14 days of
48 approval of said plan.

49 (4) The board of commissioners of the FCRHRA shall require that participating
50 employees shall retire within thirty (30) days of notification of acceptance, or by December 31,
51 2011, whichever is sooner.

52 SECTION 3. The board of commissioners of the FCRHRA shall the pay the costs
53 associated with revisions to the Franklin regional retirement system's retirement funding
54 schedule to reflect the costs and the actuarial liabilities attributable to the additional benefits

55 payable under the early retirement incentive program in accordance with this section. Increased
56 pension liability resulting from participation in the FCRHRA early retirement program
57 established under this act shall be amortized over a period not longer than 15 years, starting in
58 the first fiscal year after all participating employees retire, in equal installments, and shall be
59 separately identified in the Franklin Regional Retirement System pension funding schedule. It
60 shall be an obligation of the FCRHRA to pay in each such fiscal year the amount required by the
61 funding schedule and the updates applicable thereto.

62 SECTION 4. This act shall take effect upon its passage.