

SENATE No. 1394

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato M. deMacedo

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 relative to the retroactive application of veterans creditable service.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/31/2017</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>1/31/2017</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>2/2/2017</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>2/2/2017</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>2/3/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/3/2017</i>

SENATE No. 1394

By Mr. deMacedo, a petition (accompanied by bill, Senate, No. 1394) of Viriato M. deMacedo, Mathew Muratore, David F. DeCoste, William Crocker and other members of the General Court for legislation relative to the retroactive application of veterans creditable service. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1335 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the retroactive application of veterans creditable service.

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. Paragraph (b) of subdivision (2) of section 5 of chapter 32 of the General
2 Laws is hereby amended by inserting at the end thereof the following new sentences:- Upon
3 acceptance of this provision by a retirement system, any member who is a veteran, as defined by
4 clause forty-third of section 7 of chapter 4 of the General Laws, as amended by chapter 116 of
5 the acts of 2004, and who retired under the provisions of sections 5, 10 (1) and 26 (3) of this
6 chapter, before the effective date of said chapter 116, without receiving the additional yearly
7 allowance as a veteran provided therein, shall receive such additional yearly allowance as a
8 veteran under paragraph (b) of subdivision (2) of section 5 or paragraph (c) of subdivision (3)
9 of section 26 of this chapter, whichever is applicable. Acceptance of this provision by a
10 retirement system shall be by a majority vote of the board of each such system, subject to the

11 approval of the legis-lative body. For the purposes herein, “legislative body” shall mean, in the
12 case of a city, the city council in accordance with its charter, in the case of a town, the town
13 meeting, in the case of a county, the county retirement board advisory council, in the case of a
14 region, the regional retirement board advisory council, in the case of a district, the district
15 members, and, in the case of an authority, the governing body. Acceptance shall be deemed to
16 have occurred upon the filing of a certification of such votes with the commission. For purposes
17 herein, the state teachers’ and state employees’ retirement systems shall be deemed to have
18 accepted this provision.

19 SECTION 2. The provisions of this act shall be prospective from the date of acceptance
20 of this act and shall not entitle a member, who is entitled to benefits under section 1 of this act, to
21 any retroactive benefits.