

SENATE No. 1460

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

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 veteran creditable service for certain public retirees.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|-------------------------------|-------------------------------------|------------------|
| <i>Michael F. Rush</i> | <i>Norfolk and Suffolk</i> | |
| <i>Donald F. Humason, Jr.</i> | <i>Second Hampden and Hampshire</i> | <i>1/30/2017</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>2/7/2017</i> |

SENATE No. 1460

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1460) of Michael F. Rush, Donald F. Humason, Jr. and Paul McMurtry for legislation relative to veteran creditable service for certain public retirees. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1423 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act relative to veteran creditable service for certain public retirees.

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 the provisions of any general or special law to the
2 contrary, upon acceptance of this act by a retirement system, any member who is a veteran, as
3 defined by clause forth-third of section 7 of chapter 4 of the General Laws, as amended by
4 chapter 116 of the acts of 2004, and who retired under the provisions of sections 5, 10 (1) and 26
5 (3) of chapter 32, before the effective date of chapter 71 of the acts of 1996, without receiving
6 the additional creditable service as a veteran provided in the fourth paragraph of paragraph (h) of
7 subsection (1) of section 4 of chapter 32, shall be entitled to credit for active service in the armed
8 services of the United States; provided, however, that such creditable service shall not be
9 construed to include service for more than four years; and, provided further that such creditable
10 service shall not be allowed for any period of active service for which said veteran has received

11 credit pursuant to paragraph (h) of subsection (1) of section 4. This act shall apply to former
12 National Guard and Active Reserve Personnel. Creditable service time, both enlisted and
13 commissioned, may be applied toward retirement on a ratio for five years guard service or five
14 years active reserve service substitutable for each year of active service. Members, eligible for
15 said creditable service under this act, may make application for said creditable service under this
16 act may make application for said creditable service after being notified by the retirement board
17 of their eligibility. Acceptance of this provision by a retirement system shall be by a majority
18 vote of the board of each such system, subject to the approval of the legislative body. For the
19 purposes herein, "legislative body" shall mean, in the case of a city, the city council in
20 accordance with its charter, in the case of a town, the town meeting, in the case of a county, the
21 county retirement board advisory council, in the case of a region, the regional retirement board
22 advisory council, in the case of a district, the district members, and, in the case of an authority,
23 the governing body. Acceptance shall be deemed to have occurred upon the filing of a
24 certification of such votes with the commission. For purposes herein, the state teachers' and
25 state employees' retirement systems shall be deemed to have accepted this provision.

26 SECTION 2. The provisions of this act shall be prospective from the date of acceptance
27 of this act and shall not entitle a member, who is entitled to benefits under section 1 of this act, to
28 any retroactive benefits before filing the application with the retirement board pursuant to this
29 act.