HOUSE DOCKET, NO. 1969 FILED ON: 1/17/2019

# HOUSE . . . . . No. 3929

## The Commonwealth of Massachusetts

PRESENTED BY:

***Sarah K. Peake***

*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 unfunded pension liability for retired sheriff's department employees in Barnstable county.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---|---|---|
| *Sarah K. Peake* | *4th Barnstable* | *1/17/2019* |
| *William L. Crocker, Jr.* | *2nd Barnstable* | *1/24/2019* |
| *David T. Vieira* | *3rd Barnstable* | *1/25/2019* |
| *Julian Cyr* | *Cape and Islands* | *1/28/2019* |

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# HOUSE . . . . . No. 3929

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 3929) of Sarah K. Peake and others (with the approval of the county board of regional commissioners) relative to the unfunded pension liability for retired sheriff's department employees in Barnstable County. Public Service.

## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court**
**(2019-2020)**

An Act relative to the unfunded pension liability for retired sheriff's department employees in Barnstable county.

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

SECTION 1. Chapter 64D of the General Laws, as appearing in the 2014 official edition, is hereby amended by inserting the following new section:

Section 11A. There shall be established upon the books of Barnstable county, being a county of a transferred sheriff, the government of which county has not been abolished by chapter 34B or other law, a fund, maintained separate and apart from all other funds and accounts of each county, to be known as the Deeds Excise Fund.

[Second paragraph effective until July 1, 2014. For text effective July 1, 2024 see below.]

Notwithstanding any general or special law to the contrary, in Barnstable county, in any year in which its minimum obligation to fund from its own revenues the operation of the sheriff's office is insufficient to satisfy the unfunded county pension liabilities and other benefit liabilities

of retired employees of the sheriff's office, as determined by agreement of the secretary of administration and finance, the actuary of the Public Employee Retirement Administration Commission, the retirement association and their actuary and the county treasurer, beginning in fiscal year 2020, the county shall retain and shall transfer to the Deeds Excise Fund in which it shall be held separate and apart from all other funds and from which it shall be appropriated solely for this purpose, an amount of the State deeds excise collected in that county necessary as determined by agreement of the secretary of administration and finance, the actuary of the Public Employee Retirement Administration Commission, the retirement associations and their actuary and the county treasurer to meet its annual retirement assessment, which shall include the county's required maintenance of effort for the fiscal year and to satisfy the unfunded county pension liabilities and other benefit liabilities of retired employees of the sheriff's office until the minimum obligation is sufficient or until the county has paid such unfunded liability in full.

[Third paragraph effective July 1, 2024. For text effective until July 1, 2024 see above.]

Notwithstanding any general or special law to the contrary, in Barnstable county, in any year in which its minimum obligation to fund from its own revenues the operation of the sheriff's office is insufficient to satisfy the unfunded county pension liabilities and other benefit liabilities of retired employees of the sheriff's office, as determined by agreement of the secretary of administration and finance, the actuary of the Public Employee Retirement Administration Commission, the retirement association and their actuary and the county treasurer, beginning in fiscal year 2020, the county shall retain and shall transfer to the Deeds Excise Fund in which it shall be held separate and apart from all other funds and from which it shall be appropriated solely for this purpose, an amount of the State deeds excise collected in that county necessary as determined by agreement of the secretary of administration and finance, the actuary of the Public

Employee Retirement Administration Commission, the retirement associations and their actuary and the county treasurer to meet its annual retirement assessment, which shall include the county's required maintenance of effort for the fiscal year plus an additional 10 percent of the combined maintenance of effort for fiscal year 2010 to fiscal year 2019 and to satisfy the unfunded county pension liabilities and other benefit liabilities of retired employees of the sheriff's office until the minimum obligation is sufficient or until the county has paid such unfunded liability in full.

SECTION 2. This act shall take effect upon its passage.