SENATE DOCKET, NO. FILED ON: 1/9/2009

**SENATE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Morrissey, Michael (SEN)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act relative to disability pension benefits and earnings.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Morrissey, Michael (SEN) | Norfolk and Plymouth |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01601 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to disability pension benefits and earnings.

*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. Section 91A of said chapter 32, as appearing in the 2004 Official Edition, is hereby amended by inserting in line 23, after the word "therefor," the following new sentence:- For purposes of this subdivision, the fair amount of outside income that may be earned by a member shall be adjusted annually by the commission in accordance with the provisions of subdivision (3) of section 8 of this chapter.

SECTION 2. Section 91A of said chapter 32, as so appearing, is hereby further amended by inserting at the end thereof the following new sentence:-  For purposes of this section, earnings from earned income means compensation earned for performing personal services actually performed,           including wages, salaries, fees, commissions or gratuities, or similar income.