

**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 limiting state pension benefits.

PETITION OF:

NAME:

Morrissey, Michael (SEN)

DISTRICT/ADDRESS:

Norfolk and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01616 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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AN ACT RELATIVE TO LIMITING STATE PENSION BENEFITS.

*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. Section 1 of Chapter 32 of the General Laws, as appearing in the 2004  
2   Official Edition, is hereby amended by inserting after the first paragraph in the definition of  
3   “regular compensation” the following:

4           “Regular compensation” during any period subsequent to July 1, 2007 shall mean  
5   exclusively wages received by an employee for services performed in the course of employment  
6   for his employer.

7           SECTION 2. Section 1 of Chapter 32, as appearing is in the 2004 Official Edition, is hereby  
8   amended by inserting after the definition of “Veteran” the following:

9           “Wages” for purposes of this chapter shall mean the salary of an employee paid directly for  
10   employment by an employer and shall include amounts paid as educational incentives, amounts

11 paid for length of service, amounts paid as premiums for shift differentials, and amounts paid as  
12 cost-of-living bonuses or cost-of-living pay adjustments.

13 All other forms of wages not in conformity with the foregoing and not so determined by a  
14 retirement board in accordance with this section shall not be considered regular compensation for  
15 purposes of this Chapter. Examples thereof shall include but are not limited to overtime,  
16 commissions, bonuses other than cost-of-living bonuses, amounts derived from any salary  
17 enhancements or salary augmentation plans of any kind, indirect, in-kind or any payments such  
18 as for housing, lodging, retirement benefits, welfare benefits, workers' compensation benefits,  
19 job-related expense payments, uniform allowances, automobile usage, insurance premiums,  
20 dependent care assistance, tuition or any other fringe benefits, payments in kind and all payments  
21 in any medium other than cash received by an individual from his employing unit for services  
22 rendered to such employing unit, but including evaluated maintenance as provided for in  
23 paragraph (c) of subdivision (1) of section twenty-two.

24 Wages shall not include payment in lieu of or for unused vacation or sick leave, or the payment  
25 for termination, severance, dismissal, or any amounts paid as premiums for working holidays,  
26 except as authorized by law, any amounts paid as early retirement incentives and any payments  
27 made as a result of the member giving notice of retirement.