

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Thomas M. McGee**

*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 to establish a service based public retirement benefit.

PETITION OF:

NAME:

Thomas M. McGee

DISTRICT/ADDRESS:

Third Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01555 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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AN ACT TO ESTABLISH A SERVICE BASED PUBLIC RETIREMENT BENEFIT.

*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. Subdivision (2) of section 10 of chapter 32, as so appearing, is hereby  
2 further amended by inserting after paragraph (a) the following paragraph:-

3           (a 1/2) Any member of the state retirement system or any member of any other system  
4 established under sections 1 through 28 inclusive, except the teachers' retirement system and  
5 teachers who are members of the State-Boston retirement system, whose legislative body accepts  
6 this section, who has completed 30 or more years of creditable service and whose resignation  
7 becomes effective after he attains age 50 but prior to attaining age 60, shall receive a normal  
8 yearly amount of retirement allowance which shall be based on  $2 \frac{2}{10}$  of the annual rate of  
9 regular compensation received during any period of 3 consecutive years of creditable service for  
10 which such rate of compensation was the highest multiplied by the total years of creditable  
11 service; provided however, such allowance shall be reduced at the time of retirement by 3 per  
12 cent for each year before attaining the age of 62 and by an additional 5 percent for each year

13 before attaining the age of 58, provided further, that such member has paid the full amount of  
14 regular deductions on the total income of regular compensation, including deductions specified  
15 in subdivision (3A) of section 3 and in paragraph (d) of subdivision (1) of section 22. The total  
16 normal yearly amount of the retirement allowance of any member as determined in accordance  
17 with this section, shall not exceed  $\frac{4}{5}$  of the average annual rate of his regular compensation  
18 used in determining a retirement allowance under this paragraph. Any member who is a veteran  
19 as defined in section 1, shall receive an additional yearly retirement allowance of \$15 for each  
20 year of creditable service or fraction thereof; provided, however, that the total amount of said  
21 additional retirement allowance shall not exceed \$300 in any case. This paragraph shall apply to  
22 any such member who became a member on or after January 1, 2009 and any other member who  
23 elects to participate in the retirement option under this paragraph. –

24 (i) the election to participate in the retirement option under this paragraph, shall be  
25 made on or after January 1, 2009 and before January 1, 2010 in writing to the state retirement  
26 board or the respective board of the member, on a form prescribed by the board. Any member  
27 of a contributory retirement system who transfers into the state retirement system may elect  
28 to participate in the retirement option; provided, that the election shall occur within 180 days  
29 of establishing membership in the state retirement system. Any member who elects to  
30 participate in the retirement option and pays additional contributions pursuant to this  
31 paragraph and does not complete 30 years of creditable service shall upon termination from  
32 membership in or retirement from the system be reimbursed such additional contributions,  
33 plus regular interest, as determined by the state retirement board.

34 SECTION 2. Paragraph (b) of subdivision (1) of section 22 of said chapter 32, as so  
35 appearing, is hereby amended by adding the following paragraph:-

36 vii) withhold on each pay day 9 per cent of the regular compensation of each employee who  
37 elects to participate in the retirement option under paragraph (a1/2) of subdivision (2) of section  
38 10, on account of such service rendered by him on or after January 1, 2010

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