

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mr. 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 authorizing certain retired employees creditable retirement service in the armed forces.

PETITION OF:

NAME:

Mr. McGee

DISTRICT/ADDRESS:

Third Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01537 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT AUTHORIZING CERTAIN RETIRED EMPLOYEES CREDITABLE RETIREMENT
SERVICE IN THE ARMED FORCES.

*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. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General
2 Laws, as appearing in the 2000 Official Edition, is hereby amended by adding the following
3 paragraph:-
4 Notwithstanding the provisions of this chapter or any other general or special law, rule or
5 regulation to the contrary, any former member who has been retired under the provisions of this
6 chapter who is a veteran who served in the armed forces of the United States and who has
7 completed ten or more years of membership service shall be entitled to credit for active service
8 in the armed services of the United States; provided, however, that such active service shall not
9 be credited until such member has paid into the annuity savings fund of such system, in one sum
10 or in installments, upon such terms and conditions as the board may prescribe, makeup
11 payments, for each year of creditable service sought, of an amount equal to the ten percent of the

12 regular annual compensation of the member when said member entered the retirement system;
13 and, provided further that such creditable service shall not be construed to include service for
14 more than four years; provided, further, that such creditable service shall not be allowed for any
15 period of active service for which said veteran has received credit pursuant to paragraph (h) of
16 subsection (1) of section 4 of chapter thirty-two of the General Laws or for which said veteran
17 receives a federal military pension. This act shall apply to Massachusetts National Guard and
18 Active Reserve personnel, both former and present. Creditable service time, both enlisted and
19 commissioned may be applied toward retirement on a ration of five years guard service or five
20 years active service substitutable for each year of active service.

21 SECTION 2.

22 For the retirement system of any political subdivision, the provisions of this act shall take effect
23 on the effective date of this act by majority vote of the board of such system and by the local
24 legislative body. For the purposes of this paragraph, local legislative body shall mean a town
25 meeting for a town system, the city council subject to the provisions of its charter for a city
26 system, the county commissioners for a county system, the district members for a district system
27 and the governing body of an authority for an authority system. Acceptance shall be deemed to
28 have occurred upon the filing of a certification of such vote with the commissioner. Former
29 employees who have been retired under the provisions of chapter 32 eligible for said creditable
30 service under this act shall make application for said creditable service within one hundred and
31 eighty days of being notified by the retirement board of their eligibility after becoming vested in
32 the retirement system, or for currently eligible members, within one hundred and eighty days of
33 the acceptance of this act by the local legislative body. Terms used in this act shall have the same
34 meaning as those terms defined in section one of chapter thirty-two of the General Laws.

