

**HOUSE . . . . . No. 2359**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Paul J. Donato**

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*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 Veterans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul J. Donato	35th Middlesex
Sarah K. Peake	4th Barnstable
Jennifer L. Flanagan	Worcester and Middlesex
Sean Garballey	23rd Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO VETERANS.

*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 said chapter 32, as  
2 appearing in the 2006 Official Edition, is hereby amended by adding the following  
3 paragraph :Notwithstanding the provisions of this chapter or any other general or special law, rule or  
4 regulation to the contrary, a member retired prior to April 1996, in a retirement system as defined in  
5 section one who is a veteran , as defined Chapter 4 section 7, who served in the armed forces of the  
6 United States shall be entitled to credit for active service in the armed services of the United States;  
7 provided that such creditable service shall not be construed to include service for more than four years  
8 provided further, that such creditable service shall not be allowed for any period of active service for  
9 which said veteran has received credit pursuant to paragraph (h) of subsection (1) of section 4 of chapter  
10 thirty-two of the General Laws or for which said veteran receives a federal military pension and provided  
11 further, that the amount does not exceed the eighty percent allowed to retire. This act shall apply to  
12 Massachusetts National Guard and Active Reserve personnel, both former and present. Creditable service  
13 time, both enlisted and commissioned may be applied toward retirement on a ratio of five years guard  
14 service or five years active reserve service substitutable for each year of active service.
- 15 SECTION 2. For the retirement system of any political subdivision, the provisions  
16 of this act shall take effect on the effective date of this act by majority vote of the board of such system  
17 and by the local legislative body. For the purposes of this paragraph local  
18 Legislative body shall mean a town meeting for a town system, the city council subject to the provisions  
19 of its charter for a city system, the county commissioners for a county system, the district members for a  
20 district system and the governing body of an authority for an authority system. Acceptance shall be  
21 deemed to have occurred upon the filing of a certification of 160 Chap. 71 such vote with the  
22 commissioner. Members retired prior to April 1996 of a retirement system eligible for said creditable  
23 service under this act shall become eligible for said creditable service the month following the acceptance  
24 of this act by the local legislative body. Terms used in this act shall have the same meaning as those terms

25 defined in section one of chapter thirty-two of the General Laws.