

SENATE No. 01315

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 ordinary disability retirements..

PETITION OF:

NAME:

John F. Keenan

DISTRICT/ADDRESS:

Norfolk and Plymouth

SENATE No. 01315

By Mr. Keenan, petition (accompanied by bill, Senate, No. 1315) of Keenan for legislation relative to ordinary disability retirements [Joint Committee on Public Service].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 1154 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to ordinary disability retirements..

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 6 of chapter 32 of the General Laws, as
2 appearing in the 2002 Official Edition, is hereby amended in lines 57 and 59 by inserting after
3 the word “fifty-five” the following words:- or upon acceptance by a retirement system, age sixty.

4 SECTION 2. Said subdivision (2) of section 6 of chapter 32, as so appearing, is hereby
5 further amended in paragraph (a) by inserting at the end thereof the following sentences:-
6 Acceptance of the age sixty option provided for by this paragraph shall be by a majority vote of
7 the board of each such system, subject to the approval of the legislative body. For the purposes
8 herein, “legislative body” shall mean, in the case of a city, the city council in accordance with its
9 charter, in the case of a town, the town meeting, in the case of a county, the county retirement

10 board advisory council, in the case of a region, the regional retirement board advisory council, in
11 the case of a district, the district members, and, in the case of an authority, the governing body.
12 Acceptance shall be deemed to have occurred upon the filing of a certification of such votes with
13 the commission. For purposes herein, the state teachers' and state employees' retirement
14 systems shall be deemed to have accepted the age sixty option.

15 SECTION 3. Said subdivision (2) of section 6 of chapter 32, as so appearing, is hereby
16 further amended in paragraph (b) by deleting subparagraph (ii) and inserting in place thereof the
17 following subparagraph:-

18 (ii) A yearly amount of pension equal to one-half of the average annual rate of his regular
19 compensation for the twelve-month period for which he last received regular compensation
20 immediately preceding the date his retirement allowance becomes effective; provided, that if he
21 has not attained the age fifty-five or, upon acceptance by a retirement system as provided for by
22 this subdivision, age sixty on or before such date, the normal yearly amount of such allowance
23 shall in no event be less than that to which he would be entitled if he were retired under the
24 provisions of paragraph (a) of this subdivision, and provided, that if he has attained age fifty-five
25 or upon acceptance by a retirement system as provided for by this subdivision, age sixty on or
26 before such date, the normal yearly amount of such allowance shall in no event be less than that
27 to which he would be entitled if he were to be retired for superannuation under the provisions of
28 section five as prescribed for a member of his group; and provided, that the normal yearly
29 amount of such allowance shall not exceed four-fifths of the average annual rate of his regular
30 compensation during the five-year period of his creditable service subsequent to June thirtieth,
31 nineteen hundred and thirty-two, for which such rate was the highest, anything in this section to
32 the contrary notwithstanding.

33 Acceptance of this provision by a retirement system shall be by a majority vote of the
34 board of each such system, subject to the approval of the legislative body. For the purposes
35 herein, “legislative body” shall mean, in the case of a city, the city council in accordance with its
36 charter, in the case of a town, the town meeting, in the case of a county, the county retirement
37 board advisory council, in the case of a region, the regional retirement board advisory council, in
38 the case of a district, the district members, and, in the case of an authority, the governing body.
39 Acceptance shall be deemed to have occurred upon the filing of a certification of such votes with
40 the commission. For purposes herein, the state teachers’ and state employees’ retirement
41 systems shall be deemed to have accepted this provision.