HOUSE DOCKET, NO. 498 FILED ON: 1/11/2013

HOUSE . . . . . No. 2393

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin J. Murphy

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:

An Act further regulating retirement benefits of certain employees of the Department of Youth Services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kevin J. Murphy	*18th Middlesex*

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HOUSE . . . . . No. 2393

By Mr. Murphy of Lowell, a petition (accompanied by bill, House, No. 2393) of Kevin J. Murphy relative to the retirement benefits of certain employees of the Department of Youth Services. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1628* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act further regulating retirement benefits of certain employees of the Department of Youth Services.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subdivision (3) of Section 21 of Chapter 32, as amended by Section 1 of Chapter 17 of the acts of 1997, is hereby further amended by inserting after paragraph (f) the following paragraph:—

(g) the review and analysis of information required under section twenty-six A as it relates to the employees contribution rate changes and benefit changes under said Section 26A. Such analysis shall focus on the contributions made by members and the normal cost of benefit, plus any other liabilities determined by the actuary to be a result of such benefit changes under said Section 26A. Beginning

January first, two thousand and four and every five years thereafter, the actuary shall forward to the respective system such analysis.

SECTION 2. Paragraph (b) of subdivision (1) of section twenty two of said Chapter 32, is hereby amended by adding after the words “July first nineteen hundred and ninety-six” the last time they appear

14 the following words “;and withhold on each payday twelve percent of the regular
15 compensation of each employee who is eligible to receive benefits provided for pursuant to
16 section twenty-six A of this

17 chapter.

18 SECTION 3. Chapter 32 of the General Laws is hereby amended by inserting fter section
19 twenty-six the following section:—

20

21 Section 26A. (1) As used in this section, the following words shall, unless the context
22 otherwise requires, have the following meanings:—

23 “Public Safety Officer” an employee of the Department of Youth Services employed as a
24 Youth Service Case Worker I, Youth Service Case Worker II, Youth Service Transportation
25 Officer 1 and 2, and

26 Group Worker 1, 2, and 3.

27 (2) Any public safety officer shall be retired by the appropriate retirement board upon his
28 attaining age sixty-five; provided that any such public safety officer who has performed service
29 as a public safety officer for not less than twenty years but including creditable service granted
30 by paragraph (h) of subdivision (1) of section four and who has not attained the age of sixty-five
31 may elect to retire pursuant to the provisions of this subdivision.

32 (3) Upon retirement under the provisions of this subdivision, a member shall receive a
33 retirement allowance to become effective on the date of his retirement. Payments under such
34 retirement allowance shall be made as provided for in sections twelve and thirteen and the
35 normal yearly amount thereof shall be equal to sixty percent of the average annual rate of his
36 regular compensation received by such member during any period of three consecutive years of
37 creditable service for which such rate of compensation was the highest, or on the average annual
38 rate of regular compensation received by such member during the period or periods, whether
39 consecutive or not, constituting his last three years of creditable service preceding his retirement,
40 whichever is the greater, provided, that the total amount of the allowance shall be increased by
41 one-twelfth of three percent for each full month of service in excess of twenty years of service;
42 provided, however, that such retirement allowance shall in no case exceed seventy-five percent
43 of such regular compensation. Any such member retired under the provision of this subdivision
44 who is a veteran as defined in section one shall receive an additional retirement allowance of
45 fifteen dollars for each year of creditable service or fraction thereof; provided, that the total
46 amount of said additional retirement allowance shall not exceed three hundred dollars in any
47 case.

48 (4) Sections five, six, eight and sixteen, subdivisions(1) to (3), inclusive, of section ten,
49 and all other provisions of sections one to twenty-eight, inclusive, which are inconsistent with
50 any provisions of this section, shall not apply to any member so classified under this section.

51 (5) The actuary, acting under the provisions of paragraph(g) of subdivision (3) of section
52 twenty one, shall require each board to obtain certain information from each member eligible for
53 the retirement benefit under this section, including the name, date of birth, prior contribution
54 rate, date of hire and any other information required by the actuary for the purposes of the report
55 required under said paragraph (g).

56 SECTION 4. Any member of a retirement system who meets the definition of public
57 safety officer as defined by section twenty-six A of chapter thirty-two on the effective date of
58 this act may elect in writing to participate in the alternative public safety retirement benefit
59 provided under said section twenty-six A within one hundred eighty days of the date this act
60 takes effect. Any such election shall become effective on the first day of pay period next
61 following such election, and shall constitute a waiver of any retirement benefits provided under
62 section five or section ten of chapter thirty-two. Any member making such an election shall be
63 required to make a minimum of three years of retirement contributions at the rate of twelve
64 percent; provided, however that if said member chooses to retire before he has made said three
65 years of contributions at twelve percent, said member shall pay into the annuity savings fund or
66 have deducted from his retirement allowance an amount equal to the contributions that would
67 have been made had such member remained in service for three years at the rate of regular
68 compensation from which he retired. The election by an eligible member to participate in the
69 alternative public safety retirement benefit provided for under said section twenty-six A shall be
70 irrevocable.