

**HOUSE . . . . . No. 3748**

---

---

The Commonwealth of Massachusetts

PRESENTED BY:

*Stephen Kulik*

*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 authorizing the board of commissioners of the Franklin County Regional Housing and Redevelopment Authority to offer a limited early retirement incentive.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Stanley C. Rosenberg</i>	<i>Hampshire and Franklin</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Benjamin B. Downing</i>	<i>Berkshire, Hampshire, and Franklin</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>

**HOUSE . . . . . No. 3748**

---

---

- 
- 

[Pin Slip]

---

---

The Commonwealth of Massachusetts

An Act authorizing the board of commissioners of the Franklin County Regional Housing and Redevelopment Authority to offer a limited early retirement incentive.

*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. Notwithstanding Chapter 32 of the General Laws or any other general or  
2 special law to the contrary, the board of commissioners of the Franklin County Regional  
3 Housing and Redevelopment Authority hereinafter referred to as FCRHRA may establish an  
4 early retirement incentive program for employees of the agency subject to the following  
5 provisions:

6

7 (1) The program shall apply to active employees of the FCRHRA who are active  
8 members of the Franklin regional retirement system on the effective date of this act, and who are  
9 eligible to receive a superannuation retirement allowance in accordance with paragraph (a) of  
10 subdivision (1) of section 5 of said chapter 32 upon the effective retirement date specified in his  
11 written application to the retirement system.

12 (2) Notwithstanding said chapter 32 to the contrary, the normal yearly amount of the  
13 retirement allowance for an eligible employee shall be based on the average annual rate of  
14 regular compensation as determined under paragraph (a) of subdivision (2) of said section 5 of  
15 said chapter 32 and shall be computed according to the table contained in said paragraph (a)  
16 based on the age of such member and his number of years and full months of creditable service  
17 at the time of his retirement increased either by adding up to 3 years of age or by adding up to 3  
18 years of creditable service or by a combination of additional years of age and service the sum of  
19 which shall not be greater than 3.

20 (3) The board of commissioners of the FCRHRA may limit the total number of  
21 employees for whom it will approve a retirement calculated under this act or the total number of  
22 employees within each functional department of the agency for whom it will approve a

23 retirement calculated under this act; provided, however, f, that if participation is limited, the  
24 retirement of employees with greater years of creditable service shall be approved before  
25 approval shall be given to employees with lesser years of creditable service.

26 (4) The total normal yearly amount of the retirement allowance, as determined in  
27 accordance with section 5 of said chapter 32, of an eligible employee who retires and receives an  
28 additional benefit under the early retirement incentive program in accordance with this section  
29 shall not exceed 80 per cent of the average annual rate of his regular compensation received  
30 during any period of 3 consecutive years of creditable service for which the rate of compensation  
31 was the highest or of the average annual rate of his regular compensation received during the  
32 periods, whether or not consecutive, constituting his last 3 years of creditable service preceding  
33 retirement, whichever is greater.

34 (5) Words used in this act shall have the same meaning as they are used in said chapter 32  
35 unless otherwise expressly provided or unless the context clearly requires otherwise.

#### 36 SECTION 2.:

37 (1) The executive director of the FCRHRA shall submit a draft plan to the board of  
38 commissioners of the FCRHRA within 10 days of the effective date of this act, with a copy to  
39 the public employee retirement administration commission. The plan shall include limits, if any,  
40 on the total number of employees that will be permitted to participate in the plan, or the number  
41 of employees in each functional department, as well as an estimate of the additional pension cost  
42 liability that the agency will incur as a result of employee participation in the plan.

43 (2) Within 14 days of receiving the executive director's recommendation, the board of  
44 commissioners of the FCRHRA may approve an early retirement incentive plan, and shall make  
45 the approved plan available to eligible employees immediately.

46 (3) Eligible employees may make written application for retirement to Franklin regional  
47 retirement system under the FCRHRA early retirement incentive plan within 14 days of  
48 approval of said plan.

49 (4) The board of commissioners of the FCRHRA shall require that participating  
50 employees shall retire within thirty (30) days of notification of acceptance, or by December 31,  
51 2011, whichever is sooner.

52 SECTION 3. The board of commissioners of the FCRHRA shall the pay the costs  
53 associated with revisions to the Franklin regional retirement system's retirement funding  
54 schedule to reflect the costs and the actuarial liabilities attributable to the additional benefits  
55 payable under the early retirement incentive program in accordance with this section. Increased  
56 pension liability resulting from participation in the FCRHRA early retirement program  
57 established under this act shall be amortized over a period not longer than 15 years, starting in

58 the first fiscal year after all participating employees retire, in equal installments, and shall be  
59 separately identified in the Franklin Regional Retirement System pension funding schedule. It  
60 shall be an obligation of the FCRHRA to pay in each such fiscal year the amount required by the  
61 funding schedule and the updates applicable thereto.

62 SECTION 4. This act shall take effect upon its passage.