

**HOUSE . . . . . No. 03748**

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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 bill:

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 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 Mark</i>	<i>2nd Berkshire</i>

# HOUSE . . . . . No. 03748

By Mr. Kulik of Worthington, a petition (subject to Joint Rule 12) of Stephen Kulik and others for legislation to authorize the board of commissioners of the Franklin County Regional Housing and Redevelopment Authority to offer a limited early retirement incentive program for employees of said authority. Public Service.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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 special  
2 law to the contrary, the board of commissioners of the Franklin County Regional Housing and  
3 Redevelopment Authority hereinafter referred to as FCRHRA may establish an early retirement  
4 incentive program for employees of the agency subject to the following provisions:

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6 (l) The program shall apply to active employees of the FCRHRA who are active members of  
7 the Franklin regional retirement system on the effective date of this act, and who are eligible to  
8 receive a superannuation retirement allowance in accordance with paragraph (a) of subdivision

9 (1) of section 5 of said chapter 32 upon the effective retirement date specified in his written

10 application to the retirement system.

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

19 (3) The board of commissioners of the FCRHRA may limit the total number of employees for  
20 whom it will approve a retirement calculated under this act or the total number of employees  
21 within each functional department of the agency for whom it will approve a retirement calculated  
22 under this act; provided, however, f, that if participation is limited, the retirement of employees  
23 with greater years of creditable service shall be approved before approval shall be given to  
24 employees with lesser years of creditable service.

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

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

35 SECTION 2.:

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

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

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

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

51 SECTION 3. The board of commissioners of the FCRHRA shall the pay the costs associated  
52 with revisions to the Franklin regional retirement system's retirement funding schedule to reflect  
53 the costs and the actuarial liabilities attributable to the additional benefits payable under the early

54 retirement incentive program in accordance with this section. Increased pension liability  
55 resulting from participation in the FCRHRA early retirement program established under this act  
56 shall be amortized over a period not longer than 15 years, starting in the first fiscal year after all  
57 participating employees retire, in equal installments, and shall be separately identified in the  
58 Franklin Regional Retirement System pension funding schedule. It shall be an obligation of the  
59 FCRHRA to pay in each such fiscal year the amount required by the funding schedule and the  
60 updates applicable thereto.

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