

HOUSE No. 3939

The Commonwealth of Massachusetts

PRESENTED BY:

Karyn E. Polito

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 municipal relief and reform.

PETITION OF:

NAME:

Karyn E. Polito

Todd M. Smola

DISTRICT/ADDRESS:

11th Worcester

1st Hampden

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

1 AN ACT RELATIVE TO MUNICIPAL RELIEF AND REFORM.

2

3 **SECTION 1.** Chapter 29 of the General Laws is hereby amended by adding the following section:-

4 Section 72. Distributions paid to cities and towns shall be determined and announced no later than March
5 1 of each calendar year.

6 **SECTION 2.** Chapter 31 of the General Laws is hereby amended by adding the following section:-

7 Section 78. The provisions of this chapter shall not relate to any municipal employees hired after October
8 1, 2009 except for municipal police officers and firefighters.

9 **SECTION 3.** Section 10 of Chapter 32 of the General Laws, as appearing in the 2006 Official Edition, is
10 hereby amended by striking out in line 4 the words:- “or fails of nomination or re-election”

11 **SECTION 4.** Said chapter 32 of the General Laws, as so appearing in the 2006 Official Edition, is
12 hereby further amended by inserting after section 22 the following section:-

13 Section 22 ½ . The provisions of this chapter relating to defined benefit plans shall not apply to any
14 employee hired after October 1, 2009. They shall be covered by 401(K) coverage with the state, county,
15 city or town providing a 7 per cent match. Any employee not vested as of October 1, 2009 may elect to
16 participate in 401(K) coverage, and associated accrued defined benefits may be transferred to 401(K)
17 coverage with state, county, or municipal 7 per cent match. Disability pensions shall continue for such
18 employees who sustain job related injuries that prohibit them from performing work in any gainful
19 capacity. Disability pensions shall be based on the regular salary of the employee and not that of any
20 employee his is filling in for. All pensions funds shall be managed by the PRIM board.

21 **SECTION 5.** Said chapter 32 is hereby further amended by adding the following 2 sections:- Section
22 106. Any person who knowingly provides false information to obtain pension benefits or accepts
23 unearned benefits shall be punished by imprisonment in a prison for not more that 5 years.

24 Section 107. Employee shall not automatically be allowed to inflate pensions with raises and additional
25 compensation during their final year of service and shall be prohibited from receiving pensions greater
26 than their salary at retirement.

27 **SECTION 6.** Section 2 of chapter 32B of the General Laws, as so appearing, is hereby amended by
28 striking out the word “twenty” in line 30 and inserting in place thereof the figure:- 30

29 **SECTION 7.** Section 19 of said chapter 32B of the General Laws, as so appearing, is hereby amended
30 by striking out in line 6 the word “may instead elect to” and inserting in place thereof the word:- shall

31 **SECTION 8.** The first paragraph of subsection (a) of said section 19 of said chapter 32B, as so
32 appearing is hereby amended by striking out the last sentence.

33 **SECTION 9.** Said subsection (a) of said section 19 of said chapter 32B, as so appearing, is hereby
34 further amended by striking out the second, third and fourth paragraphs.