

**SENATE . . . . . No. 1088**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Brian A. Joyce**

*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 further regulating the retirement benefits of officers and employees of correctional institutions.

PETITION OF:

NAME:

Brian A. Joyce

DISTRICT/ADDRESS:

Norfolk, Bristol and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01522 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT FURTHER REGULATING THE RETIREMENT BENEFITS OF OFFICERS AND EMPLOYEES OF CORRECTIONAL INSTITUTIONS.

*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. Chapter 32 of the General Laws is hereby amended by striking out section 28M and  
2 inserting in place thereof the following new section 28M:-

3           Section 28M. Notwithstanding the provisions of sections one to twenty-eight, inclusive, to the  
4 contrary, any employee of the department of correction, classified under Group 4, whose major  
5 responsibilities include the care and custody of prisoners, and any transportation officer working within  
6 the department of correction, who has performed services in the department of correction in one or more  
7 Group 4 title for not less than twenty years shall, at his own request, be retired by said retirement board.  
8 Upon retirement under the provisions of this section a member shall receive a retirement allowance to  
9 become effective on the date of his retirement. Payments under such allowance shall be made as provided  
10 for in section twelve and thirteen and the normal yearly amount thereof shall be equal to sixty percent of  
11 the annual average rate of his regular compensations during the twelve-month period of his creditable  
12 service immediately preceding the date his retirement allowance becomes effective; provided, however,

13 that the total amount of the allowance shall be increased by one-twelfth of one percent for each full month  
14 of service in excess of twenty years' service and prior to the last day of the month in which such member  
15 will attain the age of retirement. Any member retired under the provisions of this section who is a veteran  
16 as defined in section one shall receive an additional yearly retirement allowance of fifteen dollars for each  
17 year of creditable service or fraction thereof; provided, however, that the total amount of said additional  
18 retirement allowance shall not exceed three hundred dollars in any case.

19 SECTION 2. Section 28N of Chapter 32 of the General Laws is hereby amended by striking out  
20 the third sentence and inserting in place thereof the following:-

21 Payments under such allowance shall be made as provided for in sections twelve and thirteen and the  
22 normal yearly amount thereof shall be equal to sixty percent of the annual average rate of his regular  
23 compensation during the twelve-month period of his creditable service immediately preceding the date his  
24 retirement allowance becomes effective; provided, however, that the total amount of the allowance shall  
25 be increased by one-twelfth of one percent for each full month of service in excess of twenty years service  
26 and prior to the last day of the month in which such member will attain the age of retirement.