

**SENATE . . . . . No. 1119**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Thomas M. McGee**

*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 certain retired employees creditable retirement service in the armed forces.

PETITION OF:

NAME:

Thomas M. McGee

DISTRICT/ADDRESS:

Third Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01537 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT AUTHORIZING CERTAIN RETIRED EMPLOYEES CREDITABLE RETIREMENT SERVICE IN THE ARMED FORCES.

*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. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General  
2 Laws, as appearing in the 2000 Official Edition, is hereby amended by adding the following  
3 paragraph:-  
4 Notwithstanding the provisions of this chapter or any other general or special law, rule or  
5 regulation to the contrary, any former member who has been retired under the provisions of this  
6 chapter who is a veteran who served in the armed forces of the United States and who has  
7 completed ten or more years of membership service shall be entitled to credit for active service  
8 in the armed services of the United States; provided, however, that such active service shall not  
9 be credited until such member has paid into the annuity savings fund of such system, in one sum  
10 or in installments, upon such terms and conditions as the board may prescribe, makeup  
11 payments, for each year of creditable service sought, of an amount equal to the ten percent of the  
12 regular annual compensation of the member when said member entered the retirement system;

13 and, provided further that such creditable service shall not be construed to include service for  
14 more than four years; provided, further, that such creditable service shall not be allowed for any  
15 period of active service for which said veteran has received credit pursuant to paragraph (h) of  
16 subsection (1) of section 4 of chapter thirty-two of the General Laws or for which said veteran  
17 receives a federal military pension. This act shall apply to Massachusetts National Guard and  
18 Active Reserve personnel, both former and present. Creditable service time, both enlisted and  
19 commissioned may be applied toward retirement on a ration of five years guard service or five  
20 years active service substitutable for each year of active service.

21 SECTION 2. For the retirement system of any political subdivision, the provisions of  
22 this act shall take effect on the effective date of this act by majority vote of the board of such  
23 system and by the local legislative body. For the purposes of this paragraph, local legislative  
24 body shall mean a town meeting for a town system, the city council subject to the provisions of  
25 its charter for a city system, the county commissioners for a county system, the district members  
26 for a district system and the governing body of an authority for an authority system. Acceptance  
27 shall be deemed to have occurred upon the filing of a certification of such vote with the  
28 commissioner. Former employees who have been retired under the provisions of chapter 32  
29 eligible for said creditable service under this act shall make application for said creditable service  
30 within one hundred and eighty days of being notified by the retirement board of their eligibility  
31 after becoming vested in the retirement system, or for currently eligible members, within one  
32 hundred and eighty days of the acceptance of this act by the local legislative body. Terms used in  
33 this act shall have the same meaning as those terms defined in section one of chapter thirty-two  
34 of the General Laws.