

**HOUSE . . . . . No. 2723**

By Mr. Rush of Boston, petition of Michael F. Rush and others relative to the pensions of veterans retiring under the public employees retirement law. Public Service.

**The Commonwealth of Massachusetts**

PETITION OF:

Michael F. Rush                      William Smitty Pignatelli  
John P. Fresolo                      John D. Keenan  
Kathi-Anne Reinstein              Walter F. Timilty

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO TREATING VETERANS EQUALLY UNDER THE PENSION LAWS.

*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. Section 1 of chapter 32 of the General Laws, as  
2 appearing in the 2002 Official Edition, is hereby amended by  
3 striking out, in line 121, the words “sections one to twenty-eight  
4 inclusive”, and inserting in place thereof the following words:—  
5 “this chapter”.

1 SECTION 2. Said section 1 is hereby further amended by  
2 striking out, in line 299, the words “sections one to twenty-eight,  
3 inclusive”, and inserting in place thereof the following words:—  
4 “this chapter”.

1 SECTION 3. Said section 1 is hereby further amended by  
2 striking out, in line 306, the words “sections one to twenty-eight  
3 inclusive”, and inserting in place thereof the following words:—  
4 “this chapter”.

1 SECTION 4. Said section 1 is hereby further amended by  
2 striking out, in line 493 to 494, the words “sections one to twenty-

3 eight, inclusive”, and inserting in place thereof the following  
4 words:—“this chapter”.

1 SECTION 5. Paragraph (h) of subdivision (1) of section 4 of  
2 chapter 32 of the General Laws, as so appearing, is hereby amended  
3 by striking out the fourth paragraph, and inserting in place thereof  
4 the following paragraph:—

5 “Notwithstanding the provisions of this chapter, including the  
6 provisions of sections 3 and 65D, or any other general or special  
7 law, rule or regulation to the contrary, a member in service of any  
8 retirement system governed by the provisions of this chapter who  
9 served honorably in the armed forces of the United States shall be  
10 entitled to credit for active service in the armed services of the  
11 United States; provided, however, that such active service shall not  
12 be credited until such member has paid into the annuity savings fund  
13 of such system, in one sum or in installments, upon such terms and  
14 conditions as the board may prescribe, make payments, for each  
15 year of creditable service sought, of an amount equal to the ten per-  
16 cent of the regular annual compensation of the member when said  
17 member entered the retirement system; and, provided further that  
18 such creditable service shall not be construed to include service for  
19 more than four years provided further, that such creditable service  
20 shall not be allowed for any period of active service for which said  
21 member has received credit pursuant to paragraph (h) of subsec-  
22 tion (1) of section 4 of chapter thirty-two of the General Laws or for  
23 which said member receives a federal military pension. This act  
24 shall apply to Massachusetts National Guard and Active Reserve  
25 personnel, both former and present. Creditable service time, both  
26 enlisted and commissioned may be applied toward retirement on a  
27 ratio of five years guard service or five years active reserve service  
28 substitutable for each year of active service.”

1 SECTION 6. Section 3 of chapter 71 of the acts of 1996 is  
2 hereby amended by striking out the second paragraph, as amended  
3 by section 2 of chapter 468 of the acts of 2002, and inserting in place  
4 thereof the following paragraph:—

5 Members in service of a retirement system eligible for said cred-  
6 itable service under this act shall make application for said creditable  
7 service not earlier than the date of becoming eligible and not later

8 than 180 days after being notified by the retirement board of their  
9 eligibility after becoming vested in the retirement system, or for cur-  
10 rently eligible members, within 180 days of the acceptance of this  
11 act by the local legislative body.