



Memorandum # 34/2006

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission
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Kenneth J. Donnelly | James M. Machado | Donald R. Marquis | Thomas Trimarco
Joseph E. Connarton, *Executive Director*

MEMORANDUM

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Implementation of Local Option Accidental Death Benefit Increase
Chapter 55 and Section 3 of Chapter 64 of the Acts of 2006

DATE: July 13, 2006

Effective July 5, 2006, Retirement Systems that have accepted the local option to increase the supplemental dependent allowance for children of accidental disability retirees contained in G.L. c. 32, § 7(2)(a)(iii) can accept the increase to the death benefit for surviving children under G.L. c. 32, § 9(2)(d)(ii). The records of the Commission show that 96 Boards have accepted the option contained in G.L. c. 32, § 7(2)(a)(iii). Please check the list of those having accepted increase in the supplemental dependent's allowance on PERAC's web site. If the information displayed is incorrect, please submit certified copies of the action of the Retirement Board and of the Chief Executive Officer and Legislative Body, so that we can correct our records.

In order to increase the accidental death benefit paid to surviving eligible children of deceased members pursuant to G.L. 32, § 9(2)(d), the Retirement Board must first accept the local option by an affirmative vote. The Board's action must be ratified by the Chief Executive Officer and the Legislative Body.

The Legislative body in a Town is the Town Meeting, the City Council in a City, and the County Advisory Board in a County. The Chief Executive Officer shall mean the Board of Selectmen in a Town, the Mayor in a City except in a City with plan D or plan E form of government it shall mean the City Manager. In a municipality with a council form of government the Chief Executive Officer is the Town Manager. In a County the County Commissioners are the Chief Executive Officer. In a District or an Authority, the members of the District or the members of the Authority act as both the Chief Executive Officer and the Legislative Body. In a Regional Retirement Board, the Regional

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Retirement Board Advisory Council is both the Chief Executive Officer and the Legislative Body.

When the Retirement Board and both the Chief Executive Officer and the Legislative Body have accepted the local option and filed certificates of acceptance with the Commission, the allowances being paid to surviving children pursuant to under G.L. c. 32, § 9(2)(d)(ii) can be increased to an amount equal to the amount being paid to children pursuant to G.L. c. 32, § 7(2)(a)(iii). Benefit increases are payable from the date of acceptance and no retroactive payments can be made. The date of acceptance is the date that the certification of acceptances is filed with the Commission. The benefits payable under G.L. c. 32, § 9(2)(d)(ii) will be increased each year in an amount equal to the percentage increase approved by the general court pursuant to G.L. c. 32, § 102.

Copies of Chapter 55 and Section 3 of Chapter 64 of the Acts of 2006 are attached for your review.

Enclosure