

ACTS, 1984. - Chap. 473.

Chap. 473. AN ACT TO IMPROVE RETIREMENT REGULATIONS FOR TEACHERS.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (2) of section 10 of chapter 32 of the General Laws, as most recently amended by chapter 1041 of the acts of 1973, is hereby further amended by striking out paragraph (a) and inserting in place thereof the following paragraph:-

(a) Any member who retires under the provisions of this section, who has completed twenty or more years of creditable service and who before attaining age fifty-five, fails of nomination or re-election, or fails of reappointment, or whose office or position is abolished, or is removed or discharged from his office or position without moral turpitude on his part, or who has completed thirty or more years of creditable service and whose resignation becomes effective before he attains age fifty-five, shall receive a normal yearly amount of retirement allowance which shall not be less than the sum of his annuity, which shall be the actuarial equivalent of his accumulated regular deductions at his attained age on the date the allowance becomes effective, and a pension equal to a sum of not less than one-third of his average annual rate of regular compensation received during any period of three consecutive years of creditable service for which such rate of compensation was the highest; provided, that such member has paid the full amount of regular deductions on the total income of regular compensation, including deductions specified in subdivision (3A) of section three and in paragraph (d) of subdivision (1) of section twenty-two. Any member of Group 1 or Group 2 or Group 4, who is a veteran as defined in section one, shall receive an additional yearly retirement allowance of fifteen dollars for each year of creditable service or fraction thereof; provided, however, that the total amount of said additional retirement allowance shall not exceed three hundred dollars in any case.

SECTION 2. The provisions of section one of this act shall apply to any member of a city, town, county, district, or authority retirement system only upon approval of the legislative body and chief executive officer of each such governmental unit. For the purposes of this section, "legislative body" shall mean a town meeting in a town with its own retirement system; the city council in a city; the county advisory board in a county; the district members in a district; and the members of an authority in an authority. For the purposes of this section, "chief executive officer" shall mean the board of selectmen in a town with its own retirement system; the mayor in a city, except in a city

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with a Plan D or Plan E form of government where it shall mean the city manager; the town manager in a municipality with a council form of government with its own retirement system; and the county commissioners in a county. In a district or authority, "chief executive officer" shall mean the members of such district or authority.

Approved January 7, 1985.

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Chap. 474. AN ACT RELATIVE TO THE RIGHTS OF LANDLORDS.

Be it enacted, etc., as follows:

Clause (iii) of subsection (4) of section 15B of chapter 186 of the General Laws, as appearing in section 2 of chapter 553 of the acts of 1978, is hereby amended by adding the following sentence:- Nothing in this section shall limit the right of a landlord to recover from a tenant, who wilfully or maliciously destroys or damages the real or personal property of said landlord, to the forfeiture of a security deposit, when the cost of repairing or replacing such property exceeds the amount of such security deposit.

Approved January 7, 1985.

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Chap. 475. AN ACT FURTHER REGULATING THE COMMITMENT OF CERTAIN ALCOHOLICS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 35 of chapter 123 of the General Laws is hereby amended by inserting after the third sentence, inserted by section 2 of chapter 643 of the acts of 1973, the following two sentences:- Upon presentation of such a petition, if there is reasonable grounds to believe that such person will not appear and that any further delay in the proceedings would present an immediate danger to the physical well-being of the respondent, said court may issue a warrant for the apprehension and appearance of such person before it. No arrest shall be made on such warrant unless the person may be presented immediately before a judge of the district court.

SECTION 2. The third paragraph of said section 35 of said