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amount; and (ii) adjust the estimated average per vehicle charge to recover the costs to license, title, register, plate, inspect or pay excise tax for the following calendar year by a corresponding amount.

This section shall not prohibit a rental company from adjusting the vehicle license cost recovery fee during a calendar year as it determines to be necessary.

Approved July 31, 2008.

Chapter 229. AN ACT FURTHER REGULATING THE ESSEX REGIONAL RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Upon acceptance of this section by majority vote of the Essex regional retirement board, subject to the approval of the regional retirement board advisory council, the board shall, notwithstanding paragraph (a) of section 103 of chapter 32 of the General Laws, establish a cost-of-living adjustment calculation. To effectuate the funding for the change in the base amount, the board shall prepare a supplemental funding schedule which shall be designed to reduce the actuarial unfunded liability attributable to the increased base amount to zero not later than June 30, 2038. The base amount upon which the cost-of-living adjustment shall be calculated shall be established by the board and approved by the advisory council. The board may increase the base amount by \$2,000 over the amount provided in said section 103 of said chapter 32 in the first year after the effective date of this section and by increments of \$1,000 in the following years, subject to approval by the advisory council. Acceptance of this section shall take effect when the council files its certification of the votes with the public employees retirement administration commission. A decision to accept this section shall not be revoked.

SECTION 2. Notwithstanding paragraph (g) of section 19 of chapter 34B of the General Laws, there shall be an Essex regional retirement board advisory council which shall consist of all the full-time treasurers, elected or appointed, of each city, town, unit or district in the Essex regional retirement system. If a city, town, unit or district does not employ a full-time treasurer, the highest ranking, full-time executive employee shall be a member of the Essex regional retirement board advisory council. The members of the advisory council shall elect a chair from among the members. The council shall meet twice annually and at the call of the chair. The council shall supervise and certify the procedures involved in the election of members to the retirement board, as provided in paragraphs (b) and (h) of said section 19 of said chapter 34B. Upon certification by the retirement board and the council, the actuary shall be furnished with an estimate of the expenses and costs of administration of the system for the ensuing year. The actuary shall annually, not later than December 15, specify by written notice to the council and the board the amounts required to be paid from the Pension Fund, the Annuity Reserve Fund, the Special Fund for Military Service Credit

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and the Expense Fund, as provided in subdivision (7) of section 22 of chapter 32 of the General Laws. The regional retirement board advisory council, at a meeting specifically called for the purpose, shall elect 1 of its members, who shall be a member in service in the retirement system, as a member of the regional retirement board at the expiration of the current member's term, as provided in clause (2) of paragraph (b) of said section 19 of said chapter 34B.

Approved July 31, 2008.

Chapter 230. AN ACT RELATIVE TO EQUITABLE COVERAGE FOR ANNUITY POLICIES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 175 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word "commissioner", in line 112, the following words:- ; provided, however, that for any contract issued on or after January 1, 2009, a mortality table shall only be applied to an individual or group annuity or pure endowment contract on a gender-neutral or gender-blended so-called basis in accordance with regulations promulgated by the commissioner.

SECTION 2. Said section 9 of said chapter 175, as so appearing, is hereby further amended by inserting after the word "contracts", in line 118, the following words:— ; provided, however, that for any contract issued on or after January 1, 2009, a mortality table shall only be applied to an individual or group annuity or pure endowment contract on a gender-neutral or gender-blended so-called basis in accordance with regulations promulgated by the commissioner.

SECTION 3. Said section 9 of said chapter 175, as so appearing, is hereby further amended by inserting after the word "specified", in line 163, the following words:- ; provided, however, that for any contract issued on or after January 1, 2009, a mortality table shall only be applied to an individual or group annuity or pure endowment contract on a gender-neutral or gender-blended so-called basis in accordance with regulations promulgated by the commissioner.

SECTION 4. Said chapter 175 is hereby further amended by inserting after section 120E the following section:—

Section 120F. No company, officer or agent thereof shall make or permit a distinction, classification or discrimination, or otherwise recognize a difference in life expectancy, on the basis of race, color, religion, sex, marital status or national origin in the terms or conditions of a group or individual annuity, pure endowment contract or certificate covering residents of the commonwealth which is issued or delivered within or without the commonwealth on or after January 1, 2009, including, but not limited to, the amount or method of payment of premiums or rate charges or in the benefits payable. A violation of