

# HOUSE . . . . No. 2173

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, May 3, 1948.

The committee on Pensions and Old Age Assistance, to whom was referred the petition (accompanied by bill, House, No. 430) of Clarence A. Wood relative to requiring employees covered by non-contributory pension laws to join the contributory retirement system, report the accompanying bill (House, No. 2173).

For the committee,

CLARENCE A. WOOD.

Representatives DETTLING of Hudson, MATERA of Boston, DUFFY of Boston, WONDOLOWSKI of Worcester and FITZGERALD of Milford dissenting.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

### AN ACT REQUIRING EMPLOYEES COVERED BY NON-CON- TRIBUTORY PENSION LAWS TO JOIN THE CONTRIBUTORY RETIREMENT SYSTEM.

*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. On and after July first, nineteen hun-  
2 dred and forty-nine, the treasurer or other disbursing  
3 officer in charge of payrolls in any governmental unit  
4 shall withhold five per cent of the regular compensa-  
5 tion payable on account of services rendered after  
6 such date of each employee, who, not being a mem-  
7 ber of the contributory retirement system, has actual  
8 or inchoate rights to a non-contributory pension.  
9 Such deductions shall be held by the treasurer of such  
10 governmental unit as a separate fund and shall be  
11 offset annually against any appropriation required for  
12 the payment of non-contributory pensions, so called;  
13 provided, that any excess not required for the pay-  
14 ment of such pensions shall be carried forward, and  
15 shall not be available for any other purpose; and  
16 provided, further, that upon the death or separation  
17 from the service otherwise than on a pension of any  
18 such employee the amount contributed by him shall  
19 be returned to him or to his legal representative. If

20 there is at any time an insufficient amount in the  
21 fund to make such refund, such payment shall never-  
22 theless be made as soon thereafter as an appropria-  
23 tion can be made therefor. A sum sufficient therefor  
24 shall be included in the tax levy of the succeeding  
25 year.

1 SECTION 2. Any person referred to in section one  
2 is hereby guaranteed full and complete rights to any  
3 pension to which he has actual or inchoate rights  
4 upon attainment of an age and completion of a period  
5 of service as set forth in the particular section of law  
6 applicable in his case. Any person affected by this  
7 act may, on or before July first, nineteen hundred and  
8 fifty-one, become a member of the contributory re-  
9 tirement system applicable to the governmental unit  
10 by which he is employed under the conditions set  
11 forth in section three of chapter thirty-two of the  
12 General Laws.

