

HOUSE No. 585

By Mr. Wall of Lawrence, petition of William X. Wall for legislation relative to requirements for membership in the contributory retirement system for public employees. Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

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

AN ACT AMENDING THE REQUIREMENTS FOR MEMBERSHIP IN 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 Clause (iii) of paragraph (2) of section 3 of chap-
2 ter 32 of the General Laws, as most recently amended,
3 is hereby amended by adding at the end of said clause
4 the words:— provided, that no school janitor or
5 school custodian who was in the employ of the school
6 department of any city or town prior to July first,
7 nineteen hundred and thirty-seven, and since has been
8 or hereafter shall be promoted to a supervisory position
9 in the janitorial or custodial service of such school de-
10 partment, shall by reason of acceptance of such
11 promotion be required to join the contributory retire-
12 ment system, nor shall such school janitor or custodian,
13 by acceptance of such promotion, forfeit his inchoate
14 rights, if any, to a non-contributory pension under

15 sections forty-four, forty-five and forty-five A of this
16 chapter, — so as to read as follows: — (iii) Any per-
17 son who hereafter resigns, transfers or is promoted
18 from a position in the service under which he had
19 inchoate rights to a non-contributory pension under
20 this chapter or under corresponding provisions of
21 earlier laws or of any other general or special law, to
22 accept a position subject to the provisions of sections
23 one to twenty-eight inclusive, if at the time of such
24 resignation, transfer or promotion he is under the
25 maximum age for the group in which he would be
26 classified; provided, that no school janitor or school
27 custodian who was in the employ of the school depart-
28 ment of any city or town prior to July first, nineteen
29 hundred and thirty-seven, and since has been or here-
30 after shall be promoted to a supervisory position in
31 the janitorial or custodial service of such school de-
32 partment, shall by reason of acceptance of such
33 promotion be required to join the contributory re-
34 tirement system, nor shall such school janitor or
35 custodian, by acceptance of such promotion, forfeit
36 his inchoate rights, if any, to a non-contributory
37 pension under sections forty-four, forty-five and forty-
38 five A of this chapter.