

By Mr. Mirsky of Boston, petition of the Massachusetts State Employees Association for legislation to establish a simplified standard formula to determine the superannuation retirement allowance for members of the contributory retirement system classified in Groups A and B. Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Seven.

AN ACT TO ESTABLISH A SIMPLIFIED STANDARD FORMULA TO DETERMINE THE SUPERANNUATION RETIREMENT ALLOWANCE FOR ALL MEMBERS OF THE CONTRIBUTORY RETIREMENT SYSTEM CLASSIFIED IN GROUPS A AND B.

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. Chapter 32 of the General Laws is hereby
2 amended by striking out subdivision (2) of section 5 and
3 inserting the following in place thereof:—

4 (2) Upon retirement under the provisions of this section a
5 member shall receive a superannuation retirement allowance
6 to become effective on the date of his retirement. Payments
7 under such allowance shall be made as provided in sections
8 twelve and thirteen.

9 (a) The normal yearly amount of the retirement allowance
10 for any member classified in either Group A or Group B, who
11 has paid the full amount of regular deductions on the total
12 amount of regular compensation, including deductions speci-
13 fied in subdivision (3A) of section three, and in paragraph (d)
14 of subdivision (1) of section twenty-two, or the amount speci-
15 fied in any other provisions of law in effect on the date he be-
16 came a member, shall, subject to the limitations set forth in
17 this section, be based on the average annual rate of regular
18 compensation not exceeding seven thousand dollars received

19 by such member during any period of two consecutive years
 20 of creditable service or creditable prior service for which such
 21 rate of compensation was the highest, and shall be computed
 22 according to the following table based on the age of such
 23 member and his number of years of creditable service and
 24 creditable prior service, if any, at the time of his retirement.
 25 Any fraction of a year shall be computed on the number of
 26 full months of actual service.

Table showing Percentage of the Amount of Average Annual Rate of Regular Compensation to be multiplied by the Number of Years of Creditable Service.

PER CENT.	AGE LAST BIRTHDAY AT DATE OF RETIREMENT.	
	Group A.	Group B.
2.5	65 or over	60 or over
2.4	64	59
2.3	63	58
2.2	62	57
2.1	61	56
2.0	60	55
1.9	59	—
1.8	58	—
1.7	57	—
1.6	56	—
1.5	55	—

27 If any such member has any years of creditable prior serv-
 28 ice as defined in section one, or any years of creditable mem-
 29 bership service for which the full deductions as specified
 30 herein has not been paid into the annuity savings fund to-
 31 gether with interest, if any, on the date of his retirement,
 32 the formula set forth in the table herein shall be reduced for
 33 each such year by one half of one per cent, and the total
 34 amount of his retirement allowance shall be computed and
 35 reduced accordingly.

36 (b) Any member whose regular annual compensation has
 37 been in excess of seven thousand dollars during any year or
 38 years of his creditable service shall receive an additional
 39 yearly retirement allowance equal to two fifths of the regu-

40 lar deductions paid into the annuity savings fund by such
41 member on that part of his regular compensation which has
42 been in excess of seven thousand dollars in any such year or
43 years.

44 (c) Any member of Group A or Group B who is a veteran
45 as defined in section one, shall receive an additional amount
46 equal to one fifth of the normal yearly amount of the allow-
47 ance to which he would have been entitled under the provi-
48 sions of section five, paragraph II, (cii) of chapter thirty-two
49 of the General Laws if he had been classified in Group A
50 otherwise than as a veteran; provided, that such additional
51 amount shall not exceed three hundred dollars in any case.

52 (d) Any member classified in Group A who has been em-
53 ployed by a city, town or district as a lineman in climbing
54 poles, in erecting or repairing wire circuits or in construction
55 and maintenance of electric power lines for a period of at
56 least fifteen years of creditable service, and who has ceased
57 or ceases to serve as such lineman, and thereupon has ac-
58 cepted or accepts a position in the service of the same city,
59 town or district at regular compensation, the average annual
60 rate of which for the remaining period of his creditable serv-
61 ice until the date of his retirement is lower than the average
62 annual rate of his regular compensation during the last two
63 years of his creditable service as such lineman, shall receive
64 upon his retirement under the provisions of this section or
65 section six, a retirement allowance the normal yearly amount
66 of which shall be equal to that to which he would have been
67 entitled had he continued to serve as such lineman at the
68 average annual rate of his regular compensation for such
69 two-year period, and regular deductions had been made on
70 the basis thereof during the remaining period of his credit-
71 able service until the date of his retirement.

72 (e) The total normal yearly amount of the retirement al-
73 lowance of any member of Group A or Group B, as deter-
74 mined in accordance with the provisions of this section, shall
75 not exceed four fifths of the average annual rate of his regular
76 compensation received during any period of five consecutive
77 years of creditable service or creditable prior service for which
78 such rate of compensation was the highest.

1 SECTION 2. Said chapter 32 is hereby further amended by
2 striking out subdivision (1) and paragraph (a) of subdivision
3 (2) of section 10 and inserting the following in place thereof: —

4 (1) Any member classified in either Group A or Group B
5 who, on or after January first, nineteen hundred and forty-
6 six, and after having attained age fifty-five, resigns or fails
7 of nomination or re-election, or fails to become a candidate
8 for nomination or re-election, or fails of reappointment, or
9 is removed or discharged from his office or position without
10 moral turpitude on his part, or any such member whose office
11 or position is abolished, or any member so classified who, on
12 or after said date and before attaining age fifty-five, and
13 after completing twenty or more years of creditable service,
14 resigns or voluntarily terminates his service shall, upon his
15 written application on a prescribed form filed with the board,
16 receive a superannuation retirement allowance to become ef-
17 fective as provided in subdivision (3) of this section. Such
18 retirement allowance shall be determined and computed in
19 accordance with the formula appearing in the table set forth
20 in paragraph (a) of subdivision (2) of section five, and shall
21 be based on such member's age and his number of years of
22 creditable service on the date the retirement allowance be-
23 comes effective, and if such retirement allowance becomes
24 effective before such member has attained age fifty-five the
25 same reduction factor shall be applied for each year below
26 age fifty-five. If such member has not attained age fifty-five
27 on the date of his termination of service, the normal yearly
28 amount of such allowance shall be equal to that prescribed
29 for a member classified in Group A; otherwise it shall be
30 equal to that prescribed for a member of the group in which
31 he is classified.

32 (2) (a) Any member classified in either Group A or Group
33 B who, on or after January first, nineteen hundred and forty-
34 six, and before attaining age fifty-five, and after completing
35 twenty or more years of creditable service, fails of nomina-
36 tion or re-election, or fails of reappointment, or is removed
37 or discharged from his office or position without moral turpi-
38 tude on his part, or any such member whose office or position
39 is abolished shall, upon his written application on a prescribed

40 form filed with the board, receive a termination retirement
41 allowance to become effective as provided in subdivision (3)
42 of this section. Such allowance shall be determined and com-
43 puted in accordance with the formula appearing in the table
44 as set forth in paragraph (a) of subdivision (2) of section five,
45 and shall be based on such member's age and his number of
46 years of creditable service on the date the retirement allow-
47 ance becomes effective, and if such retirement allowance
48 becomes effective before such member has attained age fifty-
49 five the same reduction factor shall be applied for each year
50 below fifty-five. If such member, including one who resigns,
51 has completed thirty or more years of creditable service, the
52 normal yearly amount of his retirement allowance shall not
53 be less than the sum of his annuity, which shall be the actuarial
54 equivalent of his accumulated regular deductions at his at-
55 tained age on the date the allowance becomes effective and a
56 pension equal to a sum of not less than one third of his aver-
57 age rate of regular compensation received during any period
58 of five consecutive years of creditable service for which such
59 rate of compensation was the highest; provided, that such
60 member has paid the full amount of regular deductions on
61 the total amount of regular compensation, including deduc-
62 tions specified in subdivision (3A) of section three and in
63 paragraph (d) of subdivision (1) of section twenty-two, or
64 the amount specified in any other provisions of law in effect
65 on the date he became a member of the retirement system.

1 SECTION 3. The provisions of this act shall not operate to
2 reduce any current or subsequent retirement allowance pro-
3 vided for under the provisions of sections one to twenty-
4 eight, inclusive, of chapter thirty-two of the General Laws,
5 or under corresponding provisions of earlier laws prior to the
6 date hereof, for any present members covered by such laws.

The following is a list of the names of the persons who have been admitted to the office of Justice of the Peace for the County of ... in the year 1851. The names are arranged in alphabetical order.

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The bill of the House of Representatives, passed on the 15th day of June, 1864, and approved by the President on the 17th day of the same month, is hereby published in full.

AN ACT TO AMEND THE ACTS RELATIVE TO THE OFFICE OF THE SECRETARY OF THE TREASURY.

Enacted by the Senate and House of Representatives of the United States of America in Congress assembled, February 22, 1865.

That the Secretary of the Treasury be authorized to employ such clerks, messengers, and other persons as may be necessary for the proper discharge of his duties, and that he be authorized to pay to such persons such salaries and wages as he may deem proper, not exceeding the amount appropriated for that purpose in this act.

That the Secretary of the Treasury be authorized to employ such clerks, messengers, and other persons as may be necessary for the proper discharge of his duties, and that he be authorized to pay to such persons such salaries and wages as he may deem proper, not exceeding the amount appropriated for that purpose in this act.

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