

# HOUSE . . . . No. 1234

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## The Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, March 6, 1923.

The committee on Bills in the Third Reading, to whom was referred the Bill defining the payment of an annuity and pension under the provisions of law relative to the retirement of State employees (House, No. 146), report recommending that the same be amended by the substitution of the accompanying bill.

For the committee,

PRINCE H. TIRRELL.

## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Three.

### AN ACT

Regulating the Payment of Retirement Allowances to  
Members of the State Retirement Association.

*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. Section five of chapter thirty-two of the  
2 General Laws, as amended by sections three and four  
3 of chapter three hundred and forty-one of the acts of  
4 nineteen hundred and twenty-two, is hereby further  
5 amended by striking out paragraph (2) B (b) and in-  
6 serting in place thereof the following:— (b) A life annu-  
7 ity of less amount, payable monthly, with the provision  
8 that if the annuitant dies before receiving annuity pay-  
9 ments equal to the amount used to purchase the annuity,  
10 the difference shall be paid to his legal representatives.

1 SECTION 2. Said section five, as amended by sections  
2 three and four of said chapter three hundred and forty-  
3 one, is hereby further amended by striking out paragraph  
4 (2) E and inserting in place thereof the following:—  
5 E. *Minimum and Maximum Payments.* Except as  
6 otherwise provided, in no case shall a member, whether  
7 he has elected the form of annuity provided for in para-  
8 graph (2) B (a) or (2) B (b) of this section, be retired

9 at such an annual rate of pension as would, when added  
10 to the annual amount required to be paid from the  
11 annuity fund to a member who elects the form of annuity  
12 provided for in said paragraph (2) B (a), amount to a  
13 total retirement allowance of less than three hundred  
14 dollars, and in no case shall a member who has elected  
15 either of the aforesaid forms of annuity be retired at  
16 such an annual rate of pension as would, when added to  
17 the annual amount required to be paid from the annuity  
18 fund to a member who elects the form of annuity pro-  
19 vided for in said paragraph (2) B (a), amount to a total  
20 retirement allowance of more than one half the average  
21 annual rate of his salary or wages during the five years  
22 prior to retirement, or, if such member resigns or is  
23 dismissed prior to the date of retirement, during the five  
24 years prior to such resignation or dismissal. For the  
25 purpose of determining the maximum pension and the  
26 maximum annuity under this section, the rate of salary  
27 or wages received by a member on the date immediately  
28 preceding the period of absence without pay shall be  
29 used as the rate of pay which he would have received  
30 during such absence without pay.

