

ACTS, 1984, - Chap. 389.

ever, that in the case of admission such terms shall not be inconsistent with the provisions of section nine B of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight.

Approved December 21, 1984.

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Chap. 389. AN ACT INCREASING SURVIVOR BENEFITS FOR CERTAIN SPOUSES AND CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Option (d) of subdivision (2) of section 12 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 793 of the acts of 1972, is hereby further amended by striking out the tenth and eleventh paragraphs and inserting in place thereof the following two paragraphs:-

The normal monthly member-survivor allowance provided for under this option to a spouse of a deceased member shall not be less than two hundred and fifty dollars, subject to the provisions of paragraph (e) of section one hundred and two; provided, however that the deceased member was a member in service as described in subparagraph (i) of paragraph (a) of subdivision (1) of section three on the date of death and that the member had not less than two full years of creditable service and had been married to such spouse for not less than one year; and provided, further, that such member and such spouse were living together on the date of death of the member, or that the board finds that they were living apart for justifiable cause other than desertion or moral turpitude on the part of such spouse.

In the event of the remarriage of such spouse any additional amount that is required to make the allowance under this option equal to the amount of two hundred and fifty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two, shall be terminated; and thereafter such spouse shall receive the regular monthly member-survivor allowance, if any, provided for in the first and fourth paragraphs of this option, as increased by any adjustment and increase provided for in section one and section two of chapter four hundred and eight of the acts of nineteen hundred and sixty-seven, with the actual year in which the member died as the basis of the adjustment or increase provided for therein.

SECTION 2. Section 12B of said chapter 32 is hereby amended by striking out the first paragraph, as amended by chapter 429 of the acts of 1980, and inserting in place thereof the following paragraph:-

ACTS, 1984, - Chap. 389.

If a member in service, as described in subparagraph (i) of paragraph (a) of subdivision (1) of section three, including such a member in the uniformed division of the state police, who has not nominated a beneficiary under Option (d) of subdivision (2) of section twelve other than the spouse of such member and who has two full years of creditable service, dies and leaves a spouse to whom such member had been married for at least one year and with whom such member was living at the time of the death of such member, or who the board finds had been living apart from said member for justifiable cause other than desertion or moral turpitude on the part of such spouse who is eligible to receive a member-survivor allowance under the provisions of said Option (d), and so elects, and if there are any surviving children of said deceased member who are under age eighteen or over said age and physically or mentally incapacitated from earning on the date of death of the member, or under age twenty-two if a full-time student, there shall be paid to such spouse for the benefit of all such children an additional allowance of one hundred and twenty dollars a month for one child plus an allowance of ninety dollars a month for each additional child subject to the provisions of paragraph (e) of section one hundred and two.

SECTION 3. Said section 12B of said chapter 32 is hereby further amended by striking out the third paragraph, as appearing in section 2 of chapter 793 of the acts of 1972, and inserting in place thereof the following paragraph:-

If a spouse remarries, the allowances payable for the benefit of any children under this section shall terminate and thereafter there shall be paid to a legally appointed guardian for the benefit of each eligible surviving child and allowance of one hundred and twenty dollars a month for one child plus an allowance of ninety dollars a month for each additional child subject to the provisions of paragraph (e) of section one hundred and two.

SECTION 4. Said chapter 32 is hereby further amended by striking out section 101, as most recently amended by section 43 of chapter 189 of the acts of 1984, and inserting in place thereof the following section:-

Section 101. In the event of the death of any former employee who had been retired under the provisions of this chapter after having been found to be incapacitated for further duty by reason of injuries sustained while in the performance of this duties, or who had been retired for ordinary disability under the provisions of this chapter, under which retirement he was unable to provide for any annual allowance to be paid to his widow at the time of his death, there shall be paid to such widow an annual allowance in the amount of three thousand dollars, subject to the provisions of paragraph (e) of section one

ACTS, 1984. - Chap. 389.

hundred and two, for as long as she remains unremarried; provided, however, that any allowance payable under this section shall be in the alternative to any allowance to which such widow would be entitled under the provisions of any other section of this chapter. Any allowance which such widow may be receiving or any allowance which she may have potential rights to receive, based on her own service to the commonwealth or any political subdivision thereof, shall not make her ineligible to receive the allowance provided in this section. The allowance provided by this section shall be paid by the same retiring authority and from the same source as the allowance payable to the deceased former employee referred to in this section.

SECTION 5. Section 102 of said chapter 32 is hereby amended by striking out paragraph (e), as appearing in section 1 of chapter 126 of the acts of 1976, and inserting in place thereof the following paragraph:-

(e) Notwithstanding any provision of this section to the contrary, the supplemental payments due and payable to a spouse receiving the minimum allowance under the provisions of Option (d) of subdivision (2) of section twelve, or under section one hundred and one, or under the provisions of chapter five hundred and twenty-six of the acts of nineteen hundred and sixty-three or to any spouse, child or children under the provisions of section twelve B, shall be, at all times, in an amount equal to the cumulative percentum of change in the cost of living resulting from the determination by the life actuary, with the average of the cost of living for the year nineteen hundred and seventy-two serving as the basis of the comparison to be made by the actuary as set forth in paragraph (a).

SECTION 6. Chapter 526 of the acts of 1963 is hereby amended by striking out section 1, as most recently amended by section 6 of chapter 793 of the acts of 1972, and inserting in place thereof the following section:-

Section 1. For the purpose of promoting the public good, and in consideration of long and meritorious service of any member of the uniformed branch of the state police who has been retired for reasons of superannuation or for reasons of disability after having completed at least twenty years of service, and who at the time of his retirement did not have the right to elect to receive a lesser retirement allowance so as to provide a survivor allowance for his widow, the state board of retirement shall pay to the surviving widow of such member an annuity amounting to three thousand dollars, subject to the provisions of paragraph (e) of section one hundred and two of chapter thirty-two of the General Laws; provided however, that such widow is not receiving a retirement allowance or pension under the provision of any general or special law.

ACTS, 1984. - Chap. 390.

SECTION 7. On the effective date of this act the amount of the member-survivor allowances being paid, as provided by chapter two hundred and eighty-four of the acts of nineteen hundred and forty-eight, to a widow who has not remarried and who meets the eligibility set forth in the tenth paragraph of Option (d) of subdivision (2) of section twelve of chapter thirty-two of the General Laws shall be increased to two hundred and fifty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two of said chapter thirty-two, and further subject to the provisions of the eleventh paragraph of said Option (d).

SECTION 8. On the effective date of this act the amount of the widow's allowance being paid as provided in section twelve B of chapter thirty-two of the General Laws to a widow shall be increased to two hundred and fifty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two of said chapter thirty-two; provided, however, that such allowance shall terminate upon her remarriage or death.

SECTION 9. On the effective date of this act the amount of the annual allowance being paid to a widow under the provisions of section one hundred and one of chapter thirty-two of the General Laws shall be increased to three thousand dollars, subject to the provisions of paragraph (e) of section one hundred and two of said chapter thirty-two, and such amount shall be payable so long as such widow remains unremarried.

SECTION 10. Notwithstanding any general or special law to the contrary, any additional costs of survivors' or children's allowances imposed by this act upon any political subdivision of the commonwealth shall be reimbursed by the commonwealth.

Approved December 21, 1984.

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Chap. 390. AN ACT REQUIRING BANKS TO DISCLOSE TO DEPOSITORS THE TIME PERIOD IN WHICH ITEMS DEPOSITED FOR COLLECTION SHALL BE AVAILABLE FOR WITHDRAWAL AND AUTHORIZING THE COMMISSIONER OF BANKS TO ESTABLISH REGULATIONS GOVERNING THE SAME.

Be it enacted, etc., as follows:

SECTION 1. Chapter 167D of the General Laws is hereby amended by adding the following section:-

Section 34. (a) For the purposes of this section, the following terms shall have the following meanings: