

By Mrs. Menard of Somerset, petition of Joan M. Menard, Steven C. Panagiotakos and Barry R. Finegold relative to annual determination of cost-of-living changes under the public employees retirement law. Public Service.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO COST-OF-LIVING ADJUSTMENTS FOR RETIREES.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to immediately provide for a cost-of-
3 living adjustment for state and municipal retirees, therefore it is
4 hereby declared to be an emergency law, necessary for the imme-
5 diate preservation of the public convenience.

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. Notwithstanding the provisions of any general or
2 special law to the contrary and in accordance with the provisions
3 of section one hundred and two of chapter thirty-two of the Gen-
4 eral Laws, the retirement allowance, pension or annuity of every
5 former employee of the commonwealth or of any county, city,
6 town, district, housing or redevelopment authority, the Massachu-
7 setts Turnpike Authority, the Massachusetts Port Authority, the
8 Blue Hills Regional Vocational School system, the Greater
9 Lawrence Sanitary District, the Minuteman Regional Vocational
10 Technical School District or of the spouse or other beneficiary of
11 any such former employees who is receiving a retirement
12 allowance, pension or annuity shall, beginning July first, nineteen
13 hundred and ninety-three be increased by three percent; provided,
14 however, that no individual retiree shall receive an increase
15 greater than three hundred dollars annually.

1 SECTION 2. Paragraph (a) of Section 102 of Chapter 32 of the
2 General Laws, as appearing in the 1990 Official Edition, is hereby
3 amended by striking out in line 15 the words “of at least three
4 percent”.

1 SECTION 3. Section 102 of Chapter 32 of the General Laws,
2 as appearing in the 1990 Official Edition, is hereby amended by
3 striking out paragraph (c) and inserting in place thereof the
4 following paragraph: —

5 (c) In any case where such former employee, spouse or other
6 beneficiary is receiving an annual retirement allowance, pension
7 or annuity which is ten thousand dollars or more exclusive of
8 additional annuity obtained by special purchase under
9 paragraph (g) of subdivision (1) of section twenty-two, or any
10 similar law, the cost-of-living adjustment shall be in an amount
11 determined by applying the percentum of change determined by
12 the general court to the sum of ten thousand dollars. Beginning
13 annually in July, nineteen hundred and ninety-three, whenever the
14 cost of living adjustment pursuant to paragraph (a) indicates an
15 increase in the cost-of-living or a decrease in the cost-of-living of
16 at least three percent, the dollar amounts of such increase or
17 decrease as determined in the first sentence of this paragraph shall
18 be added to or deducted from each retirement allowance, pension,
19 or annuity, which is in excess of ten thousand dollars. The sum of
20 the dollar amount of such cost-of-living adjustments, together
21 with the amount of retirement allowance, pension or annuity to
22 which the cost-of-living percentum factor is applied and any
23 amounts in excess of said ten thousand dollars shall become the
24 fixed retirement allowance, pension, or annuity for all future pur-
25 poses including the application of subsequent cost-of-living
26 adjustments in future years; provided, however, that the limita-
27 tions of this paragraph shall continue to apply.