

By Ms. McGovern, a petition (accompanied by bill, Senate, No. 1330) of Patricia McGovern for legislation relative to creditable service for persons serving as chief executive officers or chief administrative officers in cities and towns. Public Service.

**The Commonwealth of Massachusetts**

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

AN ACT RELATING TO THE EMPLOYMENT OF CHIEF EXECUTIVE OFFICERS  
OR CHIEF ADMINISTRATIVE OFFICERS BY CITIES AND TOWNS.

*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 3 of chapter 32 of the General Laws is hereby amended  
2 by adding at the end thereof the following: —

3 (9) Any member in service, or any member inactive on  
4 authorized leave of absence of any contributory retirement system  
5 who is employed as a city or town manager and who had rendered  
6 service in any other state for any previous period as a city or town  
7 manager, may, before the date any retirement allowance becomes  
8 effective for him or her, pay into the annuity savings fund of the  
9 system in one sum, or in installments, upon such terms and  
10 conditions as the board may prescribe, an amount equal to that  
11 which would have been withheld as regular deductions from his  
12 or her regular compensation for such previous period, or most  
13 recent portion thereof, as he or she may elect, had such service  
14 been rendered in a city or town of the commonwealth and had  
15 he or she been a member of the retirement system during the  
16 period the service was rendered.

17 Payment shall not be made and no credit shall be allowed for  
18 service in other states in excess of the total Massachusetts service  
19 to which the member would be entitled to receive credit if he or  
20 she remained inservice to age sixty-five, with a maximum credit  
21 for service in other states not to exceed ten years; provided, that  
22 no credit shall be allowed and no payment shall be accepted for  
23 any service for which the member shall be entitled to receive a

24 retirement allowance for any other state. In addition to the  
25 payment of such sum or installments thereof, such member shall  
26 also pay into the annuity savings fund an amount of interest such  
27 that at the completion of such payments the value of his or her  
28 accumulated payments, together with regular interest thereon,  
29 actually made on account of such previous out-of-state service,  
30 shall equal the value of his or her accumulated regular deductions  
31 which would have resulted if regular deductions had been made  
32 when regular compensation for such service was actually received.  
33 Upon the completion of such payments, such member shall receive  
34 the same credit for such period of his or her previous out-of-state  
35 service, or portion thereof elected, as would have been allowed  
36 if such service had been rendered by him or her in the  
37 commonwealth. Such member shall furnish the board with such  
38 information as it shall require to determine the amount to be paid  
39 and the credit to be allowed under this subdivision. At the time  
40 a retirement allowance becomes due to a member or to a  
41 beneficiary under option (d) of subdivision (2) of section twelve,  
42 if the Massachusetts service on the date either retirement  
43 allowance becomes effective, or on the date the member attained  
44 age sixty-five, whichever first occurs, is less than the service in  
45 other states for which the member has paid, credit shall be allowed  
46 only for the most recent service rendered in other states equal to  
47 such Massachusetts service, and the amount paid for additional  
48 service shall be refunded with accumulated interest, refund to be  
49 made only when the retirement allowance becomes due to the  
50 member or to the beneficiary under option (d) of subdivision (2)  
51 of section twelve, and if it is found that payment has been accepted  
52 for any service for which the member is entitled to a retirement  
53 allowance from any other state, the amount paid for such service  
54 with accumulated interest shall also be refunded with no  
55 retirement credit allowed.

56 For purposes of this subdivision (9), the term "city or town  
57 manager" shall mean the manager, administrator, executive  
58 secretary or other person employed by a city or town to serve as  
59 its chief executive officer or chief administrative officer.

60 This subdivision shall be effective in any city or town which  
61 accepts its provisions in accordance with the provisions of section  
62 four of chapter four, but not otherwise.