

## Lobbying Intensifies On Beacon Hill

MAY 2006 - Option C Remains Hot Topic - Association lobbyists have been working the levers of government in an attempt to forward our Legislative Package before the end of formal sessions on July 30. At this time, with less than four months remaining in the session, twenty-one Association-backed bills remain active.

Now in the second year of the 2005-2006 Legislative Session, lawmakers are scrambling to address several pressing issues during the remaining months. It must be pointed out that while the session ends on the first Tuesday in January, there are no roll calls, after July 30, thus no controversial issues can be taken up.

A number of bills of great interest to members remain active before various Beacon Hill committees.

One significant bill that appears on the move is S2292, an act increasing the minimum pension to \$15,000 for any retiree with at least twenty-five years of creditable service. Currently, a \$10,000 minimum pension exists for retired state employees and teachers. The bill, filed by Kingston Rep. Tom O'Brien, which is pending before the Senate Ways and Means Committee, not only raises the minimum to \$15,000, but also creates a local option for law to be adopted.

Survivors of disability retirees will be pleased that H292, filed by House Republican Leader Brad Jones (North Reading), is now pending before the House Ways and Means Committee. The bill increases the minimum pension for disability survivors from \$6,000 to \$8,000 a year.

Another bill, S1567, would allow survivors, who lost their pension upon remarriage, to regain their benefit. The bill, filed by Senator Michael Morrissey (D-Quincy), is also pending before Senate Ways and Means.

"We have so many bills that we would love to see passed into law. All of them help our public retirees and are greatly needed. However, I think our members realize that not everything is going to pass at once," said Association Legislative Liaison Shawn Duhamel. "That does not mean we are going to give up or turn our backs. Passing legislation is a dogfight each step of the way. As frustrating as it gets, we will be back year in and year out fighting for these benefits."

Members, interested in specific bills not listed in this article, should note that the majority of retirement-related legislation remains under the review of the Public Service Committee.

## Legal Options

One issue that seems to elicit more emotion than any other is the new Option C mortality tables. As members know, the state revised the mortality tables used to calculate Option C (survivor) pensions in 2004. By law, anyone, retiring from July 1, 2004 forward, received the benefit of the new tables.

The controversy arises from the fact that it was discovered that the previous tables, which were based on 1928 life expectancy, were significantly outdated and thus flawed. Those members, who retired prior to July 1, 2004, with Option C pensions, may have lost an extra 10-15% off their pension benefit as a result of the 1928 table.

Last year, the Association filed a bill that would have required all pre-July 2004 Option C pensions to be recalculated using the new updated tables. Citing cost concerns, the Legislature has rejected this approach.

While some would suggest that the Legislature move forward with legislation, which addresses the problem incrementally, Association leaders believe that all retirees should be treated equally.

"Going back only a year or two does not solve the problem that retirees, who chose Option C pensions, were wronged by these faulty tables. The tables should have been updated many years ago," explains Association General Counsel Bill Rehrey. "We are exploring the option of a lawsuit and its likelihood of success in order to force a recalculation."

While the Association examines legal avenues through the courts, Legislators continue to push for a legislative remedy. Most notable are Senators Thomas McGee (D-Lynn), Richard Moore (D-Uxbridge), and Michael Morrissey (D-Quincy).