

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

AN ACT expanding benefits available to municipalities with membership in the Group Insurance Commission.

PETITION OF:

NAME:

Jay R. Kaufman

DISTRICT/ADDRESS:

15th Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT EXPANDING BENEFITS AVAILABLE TO MUNICIPALITIES WITH MEMBERSHIP IN THE GROUP INSURANCE COMMISSION.

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 2 of Chapter 32A of the General Laws, as amended by Section 16 of
2 Chapter 130 of the acts of 2008, is hereby amended by striking out subsection (b) and inserting
3 in place thereof the following paragraph:
4
5 (b) "Employee", any person in the service of the commonwealth, which shall include a person employed
6 by the National Guard as a technician, and who is not at the same time an employee of the United
7 States, and a person who is an employee of a mosquito control project, the Massachusetts Parking
8 Authority, the metropolitan area planning council, the Montachusett regional planning commission, the
9 central Massachusetts regional planning district commission, the Massachusetts State College Building
10 Authority, Massachusetts School Building Authority, the commonwealth health insurance connector
11 authority, the Massachusetts Life Sciences Center, Worcester county, the county cooperative extension
12 service of Suffolk county, a local housing authority or a redevelopment authority, whether such person
13 be employed, appointed or elected by popular vote, provided the duties of such person require that his
14 time be devoted to the service of the commonwealth during the regular work week of permanent
15 employees, except that persons elected by popular vote, other than those serving as members of
16 mosquito control projects, local housing and redevelopment authorities, will be considered employees
17 during the entire term for which they are elected regardless of the hours devoted to the service of the
18 commonwealth. By way of illustration but not limitation, a person appointed or elected by popular vote
19 shall include employees of the general court, state officials, constitutional officers and members of the
20 general court, but shall in no event be construed to include members of the judiciary paid in whole or in

21 part from other than state funds, seasonal employees or emergency employees. A determination by the
22 commission that a person is eligible for participation in the plan of insurance shall be final and shall be
23 binding on all parties. A person serving on a temporary or provisional basis in a position which is subject
24 to the provisions of chapter thirty-one, notwithstanding the provisions of said chapter, and only for
25 purposes of continuation of insurance coverages granted herein, may be granted a leave of absence by
26 the appointing authority for reasons of illness of such person provided that the person agrees in writing
27 to return to an active working status at the conclusion of such leave of absence in the same or similar
28 position. Any such illness shall be evidenced by a certificate as prescribed by the commission of a
29 registered physician approved by the commission. The appointing authority may extend such leave of
30 absence from month to month subject to concurrence by the commission as to the continuation of the
31 person's insurance coverages. Such a leave of absence in the case of employment subject to said
32 chapter thirty-one shall not be deemed to confer on the person any civil service rights which the person
33 did not hold when said leave of absence was granted; and no person whose name is on an eligible civil
34 service list for said position shall lose any rights to appointment to said position. A person employed by
35 a regional council of government established pursuant to section 20 of chapter 34B or a regional
36 planning district or commission established pursuant to chapter 40B, a non-unionized education
37 collaborative as defined by section 4E of chapter 40 or a commonwealth charter school as defined by
38 section 89 of chapter 71 shall be an employee under chapter 32A and subject to the terms and
39 conditions of said chapter 32A including, but not limited to, premium contribution ratios, in the event
40 that the governing body of the regional council of government or the regional planning district or
41 commission votes to accept that status and notifies the commission of the vote. All subscribers of any
42 governmental unit transferred to the commission pursuant to subsection (e) of Section 19 of chapter
43 32B shall be an employee under chapter 32A and subject to the terms and conditions of said chapter
44 32A, including, but not limited to, amounts of insurance and benefits under Section 6 of chapter 32A.