

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Theodore C. Speliotis

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 relative to employees and retirees of the North Shore Regional Vocational School.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Theodore C. Speliotis	13th Essex
John D. Keenan	7th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2746 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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AN ACT RELATIVE TO EMPLOYEES AND RETIREES OF THE NORTH SHORE REGIONAL VOCATIONAL SCHOOL.

*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 13 of Chapter 463 of the Acts of 2004 is hereby amended by striking said section and inserting
2 in place thereof the following:-
- 3 SECTION 13. Employees and retirees of the district shall be eligible to participate in all group insurance programs
4 and benefits administered by the group insurance commission pursuant to section 16 of chapter 34B of the
5 General Laws; but, the district shall reimburse the commonwealth for costs of group insurance and benefits
6 attributable to the district. Notwithstanding the provisions of any general or special law to the contrary,
7 employees, retirees and board members of the Essex Regional retirement system may participate in the group
8 insurance programs and benefits, which are not otherwise available pursuant to chapter 34B of the general laws to
9 said employees, retirees and board members, administered by or on behalf of the district. Employees of the
10 district shall become members of the Essex Regional retirement system, except that educators certified under
11 section 38G of chapter 71 of the General Laws who are employed by the district shall be members of the teachers'
12 retirement system under chapter 32. The annuity savings fund of the transferred employees shall be transferred to
13 the Essex Regional Retirement system. Employees of the district shall be considered public employees for purposes
14 of tort liability under chapter 258 of the General Laws, and the school committee shall be considered the public
15 employer for purposes of tort liability under said chapter 258.
- 16 Retirees of the predecessor agency, who are currently receiving retirement benefits, from the Salem contributory
17 retirement system shall be transferred to the Essex Regional Retirement system. Any amounts remaining in said
18 retirees' annuity reserve funds shall be transferred to the Essex Regional retirement system.
- 19 In addition to the annuity savings fund of the transferred employees and the annuity reserved fund of the
20 transferred retirees, the Salem contributory retirement system shall transfer to the Essex Regional retirement

21 system an amount that when added to the transferred annuity savings fund and annuity reserve fund equals the
22 proportion of the market value of assets of the Salem contributory retirement system allocable to the liabilities of
23 the transferred employees as of the most recent valuation, plus an allocable portion of the change in the asset
24 value between the date of the most recent valuation and the date of transfer. The amount shall be determined by
25 the actuary at the public employee retirement administration commission based on the recommendations made
26 by the actuaries for the Essex Regional retirement system and the Salem contributory retirement system.

27 The Essex Regional retirement system shall thereafter be responsible for that portion of the employees' retirement
28 allowance for service in the predecessor agency and the North Shore Regional Vocational Technical School
29 notwithstanding the provisions of subparagraph (c) of paragraph (8) of Section 3 of Chapter 32 of the general laws;
30 provided that the Essex Regional Retirement System shall not be responsible for any portion of the retirement
31 allowance of former employees for creditable service at the predecessor agency if the employee terminated or
32 transferred service prior to the effective date of this act. Notwithstanding the provisions of this paragraph, no
33 retiree shall be transferred to the Essex Regional Retirement System until the Salem retirement board has
34 transferred the annuity savings funds and other monies as described above.

35 In addition to its normal cost, the North Shore Regional Vocational Technical school shall be assessed an amount
36 determined by the actuary for the Essex Regional retirement system to reduce the unfunded liability of its
37 employees and retirees to zero in accordance with the funding schedule adopted by the Essex Regional retirement
38 system. It is understood that the difference in the funded ratio of the transferred employees and retirees
39 compared to the funded ratio of the Essex Regional retirement system prior to the transfer will be paid by the
40 North Shore Regional Vocational Technical School.