

**HOUSE . . . . . No. 2606**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Theodore C. Speliotis**

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*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
Frederick E. Berry	Second Essex

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

## The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

### 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 General  
5 Laws; but, the district shall reimburse the commonwealth for costs of group insurance and benefits attributable to  
6 the district. Notwithstanding the provisions of any general or special law to the contrary, employees, retirees and  
7 board members of the Essex Regional retirement system may participate in the group insurance programs and  
8 benefits, which are not otherwise available pursuant to chapter 34B of the general laws to said employees, retirees  
9 and board members, administered by or on behalf of the district. Employees of the district shall become members  
10 of the Essex Regional retirement system, except that educators certified under section 38G of chapter 71 of the  
11 General Laws who are employed by the district shall be members of the teachers' retirement system under chapter  
12 32. The annuity savings fund of the transferred employees shall be transferred to the Essex Regional Retirement  
13 system. Employees of the district shall be considered public employees for purposes of tort liability under chapter  
14 258 of the General Laws, and the school committee shall be considered the public employer for purposes of tort  
15 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 transferred  
20 retirees, the Salem contributory retirement system shall transfer to the Essex Regional retirement system an amount  
21 that when added to the transferred annuity savings fund and annuity reserve fund equals the proportion of the market  
22 value of assets of the Salem contributory retirement system allocable to the liabilities of the transferred employees as  
23 of the most recent valuation, plus an allocable portion of the change in the asset value between the date of the most

24 recent valuation and the date of transfer. The amount shall be determined by the actuary at the public employee  
25 retirement administration commission based on the recommendations made by the actuaries for the Essex Regional  
26 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 retiree  
33 shall be transferred to the Essex Regional Retirement System until the Salem retirement board has transferred the  
34 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 employees  
37 and retirees to zero in accordance with the funding schedule adopted by the Essex Regional retirement system. It is  
38 understood that the difference in the funded ratio of the transferred employees and retirees compared to the funded  
39 ratio of the Essex Regional retirement system prior to the transfer will be paid by the North Shore Regional  
40 Vocational Technical School.