

# HOUSE . . . . . No. 2606

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## The Commonwealth of Massachusetts

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In the Year Two Thousand 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  
2 striking said section and inserting in place thereof the following:-

3           SECTION 13. Employees and retirees of the district shall be eligible to participate in all  
4 group insurance programs and benefits administered by the group insurance commission  
5 pursuant to section 16 of chapter 34B of the General Laws; but, the district shall reimburse the  
6 commonwealth for costs of group insurance and benefits attributable to the district.

7 Notwithstanding the provisions of any general or special law to the contrary, employees, retirees  
8 and board members of the Essex Regional retirement system may participate in the group  
9 insurance programs and benefits, which are not otherwise available pursuant to chapter 34B of  
10 the general laws to said employees, retirees and board members, administered by or on behalf of  
11 the district. Employees of the district shall become members of the Essex Regional retirement  
12 system, except that educators certified under section 38G of chapter 71 of the General Laws who  
13 are employed by the district shall be members of the teachers' retirement system under chapter

14 32. The annuity savings fund of the transferred employees shall be transferred to the Essex

15 Regional Retirement system. Employees of the district shall be considered public employees for  
16 purposes of tort liability under chapter 258 of the General Laws, and the school committee shall  
17 be considered the public employer for purposes of tort liability under said chapter 258.

18 Retirees of the predecessor agency, who are currently receiving retirement benefits, from  
19 the Salem contributory retirement system shall be transferred to the Essex Regional Retirement  
20 system. Any amounts remaining in said retirees' annuity reserve funds shall be transferred to the  
21 Essex Regional retirement system.

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

32 The Essex Regional retirement system shall thereafter be responsible for that portion of  
33 the employees' retirement allowance for service in the predecessor agency and the North Shore  
34 Regional Vocational Technical School notwithstanding the provisions of subparagraph (c) of  
35 paragraph (8) of Section 3 of Chapter 32 of the general laws; provided that the Essex Regional  
36 Retirement System shall not be responsible for any portion of the retirement allowance of

37 former employees for creditable service at the predecessor agency if the employee terminated or  
38 transferred service prior to the effective date of this act. Notwithstanding the provisions of this  
39 paragraph, no retiree shall be transferred to the Essex Regional Retirement System until the  
40 Salem retirement board has transferred the annuity savings funds and other monies as described  
41 above.

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