

# HOUSE . . . . . No. 4980

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## The Commonwealth of Massachusetts

PRESENTED BY:

***David Allen Robertson***

*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 adoption of the accompanying bill:

An Act allowing Deina Abdelkade to become a member of the state employee retirement system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>7/28/2020</i>

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By Mr. Robertson of Tewksbury, a petition (subject to Joint Rule 12) of David Allen Robertson for legislation to authorize Deina Abdelkader, an employee of the University of Massachusetts, to join the State Contributory Retirement System. Public Service.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
\_\_\_\_\_

An Act allowing Deina Abdelkade to become a member of the state employee retirement system.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith a certain employee of the University of Massachusetts to become a member of the state employees' retirement system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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. (a) Notwithstanding section 60 of chapter 176 of the Acts of 2011 or any  
2 other general or special law to the contrary, Deina Abdelkader, an employee of the University of  
3 Massachusetts, may, within 30 days of the effective date of this act elect to become a member of  
4 the state employees' retirement system. Deina Abdelkader shall provide written notice of such  
5 election to the state retirement board and the department of higher education.

6           (b) Upon such election to become a member of the state employees' retirement system  
7 Deina Abdelkader shall discontinue participation in the optional retirement program established  
8 under subsection 3 of section 40 of chapter 15A of the General Laws. Such election shall be

irrevocable and shall result in the forfeiture of all benefits, rights and privileges associated with the optional retirement program.

SECTION 2. (a) Notwithstanding section 4 of chapter 32 of the General Laws or any other general or special law to the contrary, upon electing to become a member of the state employees' retirement system, Deina Abdelkader shall purchase creditable service for: (i) the service she rendered for the University of Massachusetts from September XX, 2009 until the date her membership in the state employees' retirement system is effective; and (ii) any membership in the state employees' retirement system immediately preceding September XX, 2009.

(b) The purchases for creditable service in subsection (a) shall be in 1 lump sum or in installments upon such terms as the state retirement board may provide; provided however, that said purchases shall be in the amount equal to the contributions Deina Abdelkader and the commonwealth as her employer would have otherwise paid into the state employees' retirement system had she been a member, plus investment gains and actuarial-assumed interest for the years spent as an actively contributing member in the optional retirement program, compounded annually, through December 31, 2013. The retirement board shall calculate and report the cost to purchase said creditable service to Deina Abdelkader and the department of education within 90 days of receiving notice of her election to enroll in the state employee retirement system.

(c) Within 30 days of receiving the cost to purchase her creditable service, Deina Abdelkader shall: (i) instruct the department of higher education to effect a trustee to trustee transfer of all of her employee assets from the optional retirement program to the state employee retirement system; (ii) instruct the department of higher education to effect a trustee to trustee

transfer of all of her employer assets from the optional retirement program to the state employee retirement system; (iii) establish a transfer payout annuity with TIAA in order to begin the liquidation of all optional retirement program assets held in TIAA's traditional account; and (iv) instruct the department of higher education to provide confirmation of said transfer payout annuity to the state retirement board.

(d) Upon Deina Abdelkader's election to purchase the creditable service in subsection (a) and prior to the date that any retirement allowance becomes effective, she shall pay into the annuity savings fund of the state employees' retirement system, in 1 sum or installments, upon such terms and conditions as the state employees' retirement system may prescribe, an amount equal to the accumulated regular deductions that would have been deducted from her regular compensation if she was admitted to membership in the state employees' retirement system on September XX, 2009.

(e) Upon entry in the state employees' retirement system, Deina Abdelkader shall complete and submit a state employees' retirement system enrollment form to the office of human resources and equal opportunity and outreach of the University of Massachusetts at Lowell and provide written instruction to said office to discontinue her employee contributions to the optional retirement program and initiate her employee contributions to the state employees' retirement program.

(f) For the purposes of this act, the state employees' retirement system shall recognize Deina Abdelkader's participation in the optional retirement program as creditable service under the state employees' retirement system.