HOUSE DOCKET, NO. 1719 FILED ON: 1/17/2013

HOUSE . . . . . No. 2374

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

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:

An Act relative to transfer the employees of the Franklin Regional Council of Governments to the state employee's retirement system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Kulik	*1st Franklin*
Benjamin B. Downing	*Berkshire, Hampshire, Franklin and Hampden*
Stanley C. Rosenberg	*Hampshire, Franklin and Worcester*

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HOUSE . . . . . No. 2374

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 2374) of Stephen Kulik, Benjamin B. Downing and Stanley C. Rosenberg relative to transferring the employees of the Franklin Regional Council of Governments to the state employee's retirement system. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to transfer the employees of the Franklin Regional Council of Governments to the state employee's retirement system.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the accumulated deductions, including interest, credited as of July 1, 2013 to the annuity savings accounts of persons actively employed by the Franklin Regional Council of Governments who are active members of the Franklin Regional Retirement System shall be transferred to the state employees' retirement system. The Public Employee Retirement Administration Commission shall certify to the state board of retirement that the amounts transferred under this act are accurate.

SECTION 2. Upon completion of the required documentation and acceptance by the state board of retirement under applicable law and regulations, persons actively employed by the Franklin Regional Council of Governments who are active members of the Franklin Regional Retirement System shall become members of the state employees' retirement system as of July 1, 2013, and shall be subject to the rules and regulations of that system.

SECTION 3. Under paragraph (c) of subdivision (8) of section 3 of chapter 32 of the General Laws, the Franklin Regional Retirement System shall reimburse the state employees' retirement system for the amount of any retirement allowance paid to employees transferred under this act that is attributable to their creditable service while employees of the Franklin Regional Council of Governments and members of the Franklin Regional Retirement System. This provision shall have no effect on any other liability under said chapter 32 that the Franklin Regional Retirement System may have to the state employees' retirement system. Former employees of the Franklin Regional Council of Governments that are inactive members of the

20 Franklin Regional Retirement System as of July 1, 2013, that return to active service with the
21 Franklin Regional Council of Governments on or after July 1, 2013, and become members of the
22 state employees' retirement system, shall be subject to the normal transfer procedures under
23 applicable law and regulations.

24 SECTION 4. The state board of retirement shall not be responsible for any amount of
25 retirement allowance, disability allowance, or other benefit under said chapter 32 for any
26 employee, survivor or beneficiary of the Franklin Regional Council of Governments due on or
27 before July 1, 2013 from the Franklin Regional Retirement System, or for any portion of any
28 unfunded liability that may exist for an employee, survivor, or beneficiary of the Franklin
29 Regional Council of Governments related to the Franklin Regional Retirement System.

30 SECTION 5. The state board of retirement shall not be responsible for liability for any
31 service accrued prior to July 1, 2013 by retirees of the Franklin Regional Council of
32 Governments that are retirees of the Franklin Regional Retirement System as of July 1, 2013,
33 that return to active service with the Franklin Regional Council of Governments on or after July
34 1, 2013, and become members of the state employees' retirement system with the intent of
35 reinstatement as provided by section 105 of chapter 32 of the General Laws. Any repayment of
36 retirement allowance will be made to the Franklin Regional Retirement System, which shall
37 retain liability for service accrued by the reinstated member while a member of the Franklin
38 Regional Retirement System and shall be subject to the normal transfer procedures under
39 applicable law and regulations.

40 SECTION 6. Employees of the Franklin Regional Council of Governments shall be
41 eligible for membership in the state employees' retirement system only if they meet the state
42 board of retirement's membership requirements. Members of the Franklin Regional Council of
43 Governments shall conform to the state board of retirement's payroll reporting requirements.