

HOUSE No. 2733

By Mr. Sannicandro of Ashland, petition of Tom Sannicandro for legislation to provide creditable service for retirement purposes to certain teachers for certain service as a contract employee. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO CREDITABLE SERVICE.

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

1 Subdivision (1) of section 4 of chapter 32 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by adding
3 the following paragraph:
4 Any member in service of the Massachusetts Teachers Retirement
5 System who, immediately preceding the establishment of member-
6 ship in that system or re-entry into active service in that system, was
7 compensated for service to the commonwealth as a contract
8 employee for any department, agency, board or commission of the
9 commonwealth, may establish as creditable service up to 4 years of
10 that service if the member has 10 years of creditable service with the
11 Massachusetts Teachers Retirement System, and if the job descrip-
12 tion of the member in the position which the member holds upon
13 entry into service or re-entry into active service is similar to the job
14 description of the position for which the member was compensated
15 as a contract employee for the Commonwealth. No credit shall be
16 allowed until the member has paid into the Massachusetts Teachers
17 Retirement System before any retirement allowance becomes effec-
18 tive for the member, in a lump sum or in installments, upon the
19 terms and conditions that the Massachusetts Teachers Retirement
20 System prescribes, makeup payments of an amount equal to that
21 which would have been withheld as regular deductions for the
22 service as a contract employee if the service had been rendered as a
23 municipal employee and the member had been a member of the
24 Massachusetts Teachers Retirement System, plus buyback interest

25 on that amount. Eligible members who worked part-time as State
26 contract employees shall be eligible for creditable service propor-
27 tionately equal to their part-time service.

28 Upon completion of the payments, the member shall receive the
29 same credit for the period of previous service as a contract employee
30 as would have been allowed if the service had been rendered by the
31 member as a municipal employee. Members in service of the
32 Massachusetts Teachers Retirement System who make application
33 for this creditable service shall, subject to the rules and regulations
34 of the Massachusetts Teachers Retirement System, be notified by the
35 State of their eligibility for creditable service and, if they are eli-
36 gible, shall also be notified by the Massachusetts Teachers Retire-
37 ment System that they have the following options: (1) to purchase
38 the service in a lump sum within 180 days after the date of the
39 notice; or (2) to enter into an installment agreement within 180 days
40 after the date of the notice to pay for the service. No creditable
41 service shall be allowed under this section unless the member pro-
42 vides documentation of the member's service as a contract employee
43 satisfying the Massachusetts Teachers Retirement requirements.