

HOUSE No. 2489

The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman

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 expanding benefits available to municipalities with membership in the Group Insurance Commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jay R. Kaufman	15th Middlesex
Barbara A. L'Italien	18th Essex
Gloria L. Fox	7th Suffolk
Robert L. Rice, Jr.	2nd Worcester
Thomas M. Stanley	9th Middlesex
Steven J. D'Amico	4th Bristol
James J. O'Day	14th Worcester District
Bruce E. Tarr	First Essex and Middlesex
Robert M. Koczera	11th Bristol
Denise Provost	27th Middlesex
John D. Keenan	7th Essex
Richard J. Ross	9th Norfolk
Anne M. Gobi	5th Worcester
Brian A. Joyce	Norfolk, Bristol and Plymouth
Cory Atkins	14th Middlesex
Benjamin Swan	11th Hampden

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT EXPANDING BENEFITS AVAILABLE TO MUNICIPALITIES WITH MEMBERSHIP IN THE GROUP INSURANCE COMMISSION.

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 2 of Chapter 32A of the General Laws, as amended by Section 16 of
2 Chapter 130 of the acts of 2008, is hereby amended by striking out subsection (b) and inserting
3 in place thereof the following paragraph:

4
5 (b) "Employee", any person in the service of the commonwealth, which shall include a person employed
6 by the National Guard as a technician, and who is not at the same time an employee of the United States,
7 and a person who is an employee of a mosquito control project, the Massachusetts Parking Authority, the
8 metropolitan area planning council, the Montachusett regional planning commission, the central
9 Massachusetts regional planning district commission, the Massachusetts State College Building
10 Authority, Massachusetts School Building Authority, the commonwealth health insurance connector
11 authority, the Massachusetts Life Sciences Center, Worcester county, the county cooperative extension
12 service of Suffolk county, a local housing authority or a redevelopment authority, whether such person be
13 employed, appointed or elected by popular vote, provided the duties of such person require that his time
14 be devoted to the service of the commonwealth during the regular work week of permanent employees,
15 except that persons elected by popular vote, other than those serving as members of mosquito control
16 projects, local housing and redevelopment authorities, will be considered employees during the entire
17 term for which they are elected regardless of the hours devoted to the service of the commonwealth. By
18 way of illustration but not limitation, a person appointed or elected by popular vote shall include
19 employees of the general court, state officials, constitutional officers and members of the general court,
20 but shall in no event be construed to include members of the judiciary paid in whole or in part from other
21 than state funds, seasonal employees or emergency employees. A determination by the commission that a
22 person is eligible for participation in the plan of insurance shall be final and shall be binding on all
23 parties. A person serving on a temporary or provisional basis in a position which is subject to the

24 provisions of chapter thirty-one, notwithstanding the provisions of said chapter, and only for purposes of
25 continuation of insurance coverages granted herein, may be granted a leave of absence by the appointing
26 authority for reasons of illness of such person provided that the person agrees in writing to return to an
27 active working status at the conclusion of such leave of absence in the same or similar position. Any such
28 illness shall be evidenced by a certificate as prescribed by the commission of a registered physician
29 approved by the commission. The appointing authority may extend such leave of absence from month to
30 month subject to concurrence by the commission as to the continuation of the person's insurance
31 coverages. Such a leave of absence in the case of employment subject to said chapter thirty-one shall not
32 be deemed to confer on the person any civil service rights which the person did not hold when said leave
33 of absence was granted; and no person whose name is on an eligible civil service list for said position
34 shall lose any rights to appointment to said position. A person employed by a regional council of
35 government established pursuant to section 20 of chapter 34B or a regional planning district or
36 commission established pursuant to chapter 40B, a non-unionized education collaborative as defined by
37 section 4E of chapter 40 or a commonwealth charter school as defined by section 89 of chapter 71 shall
38 be an employee under chapter 32A and subject to the terms and conditions of said chapter 32A including,
39 but not limited to, premium contribution ratios, in the event that the governing body of the regional
40 council of government or the regional planning district or commission votes to accept that status and
41 notifies the commission of the vote. All subscribers of any governmental unit transferred to the
42 commission pursuant to subsection (e) of Section 19 of chapter 32B shall be an employee under chapter
43 32A and subject to the terms and conditions of said chapter 32A, including, but not limited to, amounts of
44 insurance and benefits under Section 6 of chapter 32A.