

# HOUSE . . . . . No. 5058

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, October 19, 2020.

The committee on Public Service to whom was referred the petition (accompanied by bill, House, No. 4980) of David Allen Robertson for legislation to authorize Deina Abdelkader, an employee of the University of Massachusetts, to join the State Contributory Retirement System, reports recommending that the accompanying bill (House, No. 5058) ought to pass.

For the committee,

JERALD A. PARISELLA.

**HOUSE . . . . . No. 5058**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act allowing Deina Abdelkader to become a member of the state employee 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:*

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

11           SECTION 2. (a) Notwithstanding section 4 of chapter 32 of the General Laws or any  
12 other general or special law to the contrary, upon electing to become a member of the state  
13 employees' retirement system, Deina Abdelkader shall purchase creditable service for: (i) the

14 service she rendered for the University of Massachusetts from August 31, 2008 until the date her  
15 membership in the state employees' retirement system is effective; and (ii) any membership in  
16 the state employees' retirement system immediately preceding August 31, 2008.

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

26 (c) Within 30 days of receiving the cost to purchase her creditable service, Deina  
27 Abdelkader shall: (i) instruct the department of higher education to effect a trustee to trustee  
28 transfer of all of her employee assets from the optional retirement program to the state employee  
29 retirement system; (ii) instruct the department of higher education to effect a trustee to trustee  
30 transfer of all of her employer assets from the optional retirement program to the state employee  
31 retirement system; (iii) establish a transfer payout annuity with TIAA in order to begin the  
32 liquidation of all optional retirement program assets held in TIAA's traditional account; and (iv)  
33 instruct the department of higher education to provide confirmation of said transfer payout  
34 annuity to the state retirement board.

35 (d) Upon Deina Abdelkader's election to purchase the creditable service in subsection (a)  
36 and prior to the date that any retirement allowance becomes effective, she shall pay into the  
37 annuity savings fund of the state employees' retirement system, in 1 sum or installments, upon  
38 such terms and conditions as the state employees' retirement system may prescribe, an amount  
39 equal to the accumulated regular deductions that would have been deducted from her regular  
40 compensation if she was admitted to membership in the state employees' retirement system on  
41 August 31, 2008.

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

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