SENATE DOCKET, NO. 377 FILED ON: 1/19/2011

SENATE . . . . . No. 1307

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 part-time higher education faculty eligibility in the state retirement system..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Patricia D. Jehlen	☐ *[District]* ☐
Denise Provost	*27th Middlesex*
Cleon H. Turner	*1st Barnstable*
Martha M. Walz	*8th Suffolk*

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SENATE . . . . . No. 1307

By Ms. Jehlen, petition (accompanied by bill, Senate, No. 1307) of Walz, Turner, Provost and other members of the General Court for legislation relative to part-time higher education faculty eligibility in the state retirement system [Joint Committee on Public Service].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1082* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to part-time higher education faculty eligibility in the state 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. Section 3(2)(d) of Chapter 32, as appearing in the 2008 Official Edition, is amended by adding the following new paragraph:

For purposes of this section and notwithstanding the provisions of this chapter or any other general or special law, rule or regulation to the contrary, any faculty who teach the equivalent of at least two three credit courses per semester or four three or more- credit courses per calendar year at one or more state higher education institution, including a division of continuing education, regardless of funding source, including but not limited to subsidiary account CC, shall be considered an employee eligible for membership in the state employees retirement system and shall earn creditable service for such time.

SECTION 2. Section 4(2)(b) of Chapter 32, as so appearing, is amended by inserting the following in line 447 after the word “membership,”:

provided, that in the case of any faculty employed at one or more state higher education institution, the Board shall credit as at least one-half year of service, actual service teaching the equivalent of at least four three- credit courses per calendar year.

SECTION 3. Section 4(2)(c) of Chapter 32, as so appearing, is amended by adding the following paragraph:

17 For faculty employed at one or more state higher education institution, the Board, in
18 accordance with the provisions of this section, shall allow credit for any previous period of
19 service equivalent to teaching at least four three- credit courses per calendar year at one or more
20 state higher education institution, including a division of continuing education, regardless of
21 funding source, including but not limited to subsidiary account CC.

22 SECTION 4. Section 1 of Chapter 32, as so appearing, is amended by inserting the
23 following sentence in line 428 after the word "fund":

24 In the case of part-time faculty employed at one or more state higher education
25 institution, the full salary and wages received for teaching credit courses at one or more state
26 higher education institution, including a division of continuing education, regardless of funding
27 source, including but not limited to subsidiary account CC, shall be regarded as regular
28 compensation and shall be included in the salary on which deductions are to be paid to the
29 annuity savings fund.

30 SECTION 5. Section 5(1)(m) of Chapter 32, as appearing in the 2008 Official Edition, is
31 amended by adding the following paragraph:

32 However, notwithstanding any provision of this chapter to the contrary, any part-time
33 faculty employed at one or more state higher education institution, whose employment first
34 commenced on or after January first, nineteen hundred and seventy-eight, and who has not
35 completed five or more years of creditable service before the termination of his employment,
36 shall on the termination of his employment be entitled to a return of his accumulated deductions.
37 Such return of said accumulated deductions shall be in lieu of any superannuation retirement
38 allowance provided under this chapter.