

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Ms. 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 bill:
An Act relative to part-time higher education faculty eligibility in the state retirement system.

PETITION OF:

NAME:

Ms. Jehlen

DISTRICT/ADDRESS:

Second Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01517 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

**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:*

1 SECTION 1. Section 3(2)(d) of Chapter 32, as appearing in the 2002 Official Edition, is amended by
2 adding the following new paragraph:

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

9

10 SECTION 2. Section 4(2)(b) of Chapter 32, as appearing in the 2002 Official Edition, is amended by
11 inserting the following in line 382 after the word "membership,":

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

15

16 SECTION 3. Section 4(2)(c) of Chapter 32, as appearing in the 2002 Official Edition, is amended by
17 adding the following paragraph:

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

23

24 SECTION 4. Section 1 of Chapter 32, as appearing in the 2002 Official Edition, is amended by
25 inserting the following sentence in line 405 after the word "fund":

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

31

32 SECTION 5. Section 5(1)(m) of Chapter 32, as appearing in the 2002 Official Edition, is amended by
33 adding the following paragraph:

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