SENATE DOCKET, NO. 552 FILED ON: 1/14/2019

SENATE . . . . . No. 1471

The Commonwealth of Massachusetts

PRESENTED BY:

Michael D. Brady

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Michael D. Brady	*Second Plymouth and Bristol*	
James B. Eldridge	*Middlesex and Worcester*	*1/31/2019*
Michelle M. DuBois	*10th Plymouth*	*2/1/2019*

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SENATE . . . . . No. 1471

By Mr. Brady, a petition (accompanied by bill, Senate, No. 1471) of Michael D. Brady, James B. Eldridge and Michelle M. DuBois for legislation relative to part-time higher education faculty eligibility in the state retirement system. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1383* OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

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:

For faculty employed at one or more state higher education institution, the Board, in accordance with the provisions of this section, shall allow credit for any previous period of service equivalent to teaching at least four three- 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.

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

In the case of part-time faculty employed at one or more state higher education institution, the full salary and wages received for teaching credit courses 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 regarded as regular compensation and shall be included in the salary on which deductions are to be paid to the annuity savings fund.

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

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