

**HOUSE . . . . . No. 3647**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Tricia Farley-Bouvier and Paul W. Mark***

*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 retirement benefits for June Tooley.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>1/11/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>1/20/2023</i>

**HOUSE . . . . . No. 3647**

---

---

By Representative Farley-Bouvier of Pittsfield and Senator Mark, a joint petition (accompanied by bill, House, No. 3647) of Tricia Farley-Bouvier and Paul W. Mark relative to authorizing June Tooley, an employee of Berkshire Community College, to become a member of the State Employees Retirement System. Public Service.

---

---

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to retirement benefits for June Tooley.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith a certain employee of Berkshire Community College to become a member of the state employees' retirement system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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, June Tooley, an employee of Berkshire Community  
3 College, may, within 30 days of the effective date of this act elect to become a member of the  
4 state employees' retirement system. June Tooley shall provide written notice of such election to  
5 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 June Tooley shall discontinue participation in the optional retirement program established in  
8 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, June Tooley shall purchase creditable service for the service she  
14 rendered for Berkshire Community College from September 1, 1999 until the effective date of  
15 her membership in the state employees' retirement system.

16 (b) The purchases for creditable service in subsection (a) shall be in 1 lump sum or in  
17 installments upon such terms as the state retirement board may provide; provided however, that  
18 said purchases shall be in the amount equal to the contributions June Tooley and the  
19 commonwealth as her employer would have otherwise paid into the state employees' retirement  
20 system had she been a member. The retirement board shall calculate and report the cost to  
21 purchase said creditable service to June Tooley within 90 days of receiving notice of her election  
22 to enroll in the state employee retirement system.

23 (c) Upon entry in the state employees' retirement system, June Tooley shall complete and  
24 submit a state employees' retirement system enrollment form to the office of human resources of  
25 Berkshire Community College and provide written instruction to said office to discontinue her  
26 employee contributions to the optional retirement program and initiate her employee  
27 contributions to the state employees' retirement program.

28 (d) For the purposes of this act, the state employees' retirement system shall recognize  
29 June Tooley's participation in the optional retirement program as creditable service under the  
30 state employees' retirement system.