

**SENATE . . . . . No. 1149**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**Mr. Richard T. Moore**

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*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 the Fair Treatment of Certain Teachers' Retirement Benefits.**

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mr. Richard T. Moore	Worcester and Norfolk
John V. Fernandes	10th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S02835 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**  
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**AN ACT RELATIVE TO THE FAIR TREATMENT OF CERTAIN TEACHERS' RETIREMENT  
BENEFITS.**

*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.** Notwithstanding any general or special law to the contrary, The  
2   Massachusetts Teachers' Retirement System shall recognize as “pensionable” any “enhanced  
3   longevity buy-out option” or similar “extended service compensation” benefit permitted in a  
4   collective bargaining agreement or an individual contract, provided that:

5           1. the collective bargaining agreement or individual contract that authorizes the  
6   “enhances longevity buy-out option” or “extended service compensation” benefit shall have been  
7   in effect on or before January 25, 2006; and

8           2. that the employee begins to receive said benefit during the term of the collective  
9   bargaining agreement or individual contract that was in effect on or before January 25, 2006.

10          If the collective bargaining agreement took effect after January 25, 2006, The  
11   Massachusetts Teachers' Retirement System shall recognize as “pensionable” any “enhanced  
12   longevity buy-out option” plan or similar “extended service compensation” benefit provided that:

13          1. the collective bargaining agreement or individual contract continues the same  
14   “enhanced longevity buy-out option” or “extended service compensation” benefit as that  
15   provided in the collective bargaining agreement in effect on January 25, 2006; and

16           2. the employee shall have notified his school district of his intent to collect said benefit  
17 on or before January 25, 2006 in writing received by the district; and

18           3. that the employee shall have begun collecting said “enhanced longevity buy-out  
19 option” or “extended service compensation” benefit on or before September 31, 2006.

20           **SECTION 2.** This act shall take effect upon its passage.