



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1840

S.P. 658

In Senate, December 22, 2021

**An Act To Amend the Laws Governing Retirement Benefit
Reductions for Corrections Supervisors Currently Included in the
1998 Special Plan**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 20, 2021. Referred to the Committee on Labor and Housing pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President JACKSON of Aroostook.
Cosponsored by Representative PLUECKER of Warren and
Senator: HICKMAN of Kennebec, Representative: SYLVESTER of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. Computation of service retirement benefits for certain employees**
3 **of the Department of Corrections.** Notwithstanding the Maine Revised Statutes, Title
4 5, section 17851-A, subsection 4 or any other provision of law to the contrary, the service
5 retirement benefit of a qualified member must be computed on the basis of all of the
6 qualified member's creditable service in the capacity specified in Title 5, section 17851-A,
7 subsection 1, paragraph I, regardless of when that creditable service was earned, except
8 that for a member qualifying for a retirement benefit under Title 5, section 17851-A,
9 subsection 2, paragraph B:

10 1. If the member had 10 years of creditable service on July 1, 1993, the benefit must
11 be reduced as provided in Title 5, section 17852, subsection 3, paragraphs A and B for each
12 year the member's age precedes 55 years of age; or

13 2. If the member had fewer than 10 years of creditable service on July 1, 1993, the
14 benefit must be reduced by 6% for each year that the member's age precedes 55 years of
15 age.

16 **Sec. 2. Qualified member; definition.** As used in this Act, "qualified member"
17 means a member on the effective date of this Act to whom the Maine Revised Statutes,
18 Title 5, section 17851-A, subsection 1, paragraph I applies and who:

19 1. Was employed by the Department of Corrections prior to January 1, 2000; and

20 2. Is employed as a supervisor of correctional officers in a correctional facility as
21 defined in Title 34-A, section 1001, subsection 6.

22 As used in this Act, the terms "creditable service," "member" and "retirement benefit"
23 have the same meanings as in Title 5, section 17001.

24 **SUMMARY**

25 This bill requires that service retirement benefits for employees of the Department of
26 Corrections who are supervisors of correctional officers, who are included in the 1998
27 Special Plan as of the effective date of the bill and who were employed prior to January 1,
28 2000 be computed on the same basis as benefits for other members under the plan are
29 computed; creditable service is included regardless of when that service was earned.