

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1073

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H. P. 1019

House of Representatives, March 23, 1977

On Motion of Mr. Theriault of Rumford, referred to Committee on Veterans and Retirement. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Gray of Rockland.

Cosponsors: Mrs. Gill of So. Portland and Mr. Howe of So. Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT Concerning the Retirement Law Relating to Certain Employees of  
the Department of Mental Health and Corrections.**

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

Sec. 1. 5 MRSA § 1095, sub-§ 5, 1st sentence, as repealed and replaced by PL 1975, c. 622, § 38-B, is amended to read:

Each employee of the Maine State Prison, who is an incumbent in a position described in section 1121, subsection 4, paragraph F, shall contribute at a rate of 7.5% of earnable compensation until he has attained eligibility for retirement under section 1121, subsection 4, paragraph F.

Sec. 2. 5 MRSA § 1121, sub-§ 4, ¶ F, as repealed and replaced by PL 1975, c. 622, § 50-A, is repealed and the following enacted in its place:

F. Any member who is the warden or deputy warden of the Maine State Prison, or is the superintendent or deputy or assistant superintendent of the Maine Correctional Center or Maine Youth Center, or any officer or employee of any such institution, and the director and any deputy or assistant director and any officer or supervising officer of the State Division of Probation and Parole, and in any case, who has at least 20 years of creditable service in his respective capacity or cumulatively in any combination of such employment capacities, may be retired on a service retirement allowance which is equal to  $\frac{1}{2}$  of his average final compensation, and an additional 2% of his average final compensation for each year of membership service not included in the age and service conditions for retirement under this paragraph; but unless extended, he must retire at the age of 60.

**Sec. 3. Appropriation.** There is appropriated from the General Fund to the State Retirement System the sum of \$1,496,846 to carry out the purposes of this Act. The breakdown shall be as follows:

	1977-78	1978-79
STATE RETIREMENT SYSTEM		
Retirement Allowance Fund		
All Other	\$641,505	\$855,341

Provides funds for 20-year retirement for personnel of correctional and juvenile institutions and State Division of Probation and Parole.

#### STATEMENT OF FACT

All persons proposed to be covered by this bill are employees within the Bureau of Corrections of the Department of Mental Health and Corrections and are considered to be in hazardous employment inasmuch as any such employee is in close proximity to or dealing with or managing persons under commitment to institutions within such bureau or in the supervision of persons on parole therefrom or on probation from the courts of the State.