

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1411, L.D. 1615, Bill, "AN ACT to Provide State Prison Guards With the Same Retirement Benefits as the State Police."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 5 MRSA §1095, sub-§5, 1st sentence, as repealed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Sec. 2. 5 MRSA §1121, sub-§4, paragraph F, as repealed and
replaced by PL 1975, c. 622, §50-A, is repealed and the following enacted in its place: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 the Maine Youth Center, or any officer or employee of any such institution employed

as a guard, or engaged in any management of prisoners,
or as the supervising officer of such guards or employees,
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 1/2 of
his average final compensation, and an additional 2%
of his average final compensation for each year of
membership service in excess of that required in
determining eligibility for retirement under this para-
graph; but unless extended, he must retire at age 60.

Upon death of a member who is the recipient of a retire-
ment allowance under this paragraph without optional
modification, or who would have been eligible to retire
under this provision, but retired under the disability
provisions, the surviving spouse shall become entitled
to a retirement allowance which shall be equal to 1/2 of
the amount being paid at the time of his death and which
payment shall continue for the remainder of his lifetime
until he becomes the dependent of another person. Payment

of the appropriate monthly amount shall be made to the surviving spouse for the account of any deceased member who had retired without optional modification under this paragraph as of the effective date of this provision, and shall not be retroactive.'

Statement of Fact

The purpose of this amendment is to provide wardens, deputy wardens, superintendents, deputy or assistant superintendents, guards and other employees engaged in the management or supervision of prisoners of the Maine State Prison, the Maine Correctional Center or the Maine Youth Center, and the director/and officers and any deputy or assistant director of the State Division of Probation and Parole with a common retirement plan similar to that granted the State Police.

Reported by the Minority of the Committee on Veterans and Retirement.

Reproduced and distributed under the direction of the Clerk of the House.

6/1/77

(Filing No. H-458)