

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1615

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H. P. 1411

House of Representatives, April 13, 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 Mrs. Post of Owls Head.  
Cosponsor, Mr. Laffin of Westbrook.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Provide State Prison Guards With the Same Retirement Benefits  
as the State Police.**

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

5 MRSA § 1121, sub-§ 4, ¶ F, as repealed and replaced by PL 1975, c. 622, § 50-A, is amended to read:

F. Any member who is the warden or deputy warden of the Maine State Prison, or any officer or employee of the Maine State Prison employed as a guard, or engaged in any management of prisoners, or as the supervising officers of any such guards or employees, and in any case, who has at least 20 years of creditable service in his respective capacity, or cumulatively in any combination of such prison employment capacities, may be retired ~~on or after the attainment of age 50~~ 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 determining eligibility~~ for retirement under this paragraph; but unless extended, he must be retired at the attainment of age 60.

Upon the death of a member who is the recipient of a retirement 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  $\frac{1}{2}$  of the amount being paid at the time of his death and which payment shall continue for the remainder of his lifetime or until

he or she 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 bill is to provide wardens, deputy wardens and guards of the Maine State Prison with the same retirement benefits as the State Police. The following changes were made to the present prison guard's benefits:

1. The requirement to reach age 50 prior to retirement is removed; and
2. The survivor benefits of  $\frac{1}{2}$  of the retirement allowance to a surviving spouse is added.