

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1945

H. P. 1888

Office of the Clerk of the House

The Committee on Veterans and Retirement suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mr. Sprowl of Hope.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT to Increase Retirement Benefits for Teachers who Taught Prior to July 1, 1942.

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

Sec. 1. 5 MRSA § 1121, sub-§ 2, ¶ A, sub-¶ (2), first sentence, is repealed and the following enacted in its place:

If he has a prior service certificate in full force and effect, 1/50 of his average final compensation multiplied by the number of years, not to exceed 25, of his prior service or, if he was formerly subject to the Revised Statutes of 1944, chapter 37, sections 212 to 241, with a prior service certificate in full force and effect for teaching service before July 1, 1947, 1/50 of his average final compensation multiplied by the number of years of his prior service.

Sec. 2. 5 MRSA § 1121, sub-§ 2, ¶ A, sub-¶ (2-A), as amended by PL 1973, c. 788, § 17, is repealed.

Sec. 3. 5 MRSA § 1121, sub-§ 2, ¶ A, sub-¶ (3), 2nd sentence, as amended by PL 1973, c. 788, § 18, is repealed.

Sec. 4. 5 MRSA § 1121, sub-§ 5, as last amended by PL 1973, c. 542, § 9, is repealed and the following enacted in its place.

5. Teachers. Any teacher who began to teach in the public schools of Maine prior to July 1, 1947, and has attained 60 years of age shall, upon proper application and verification of at least 15 years of teaching service, be granted a minimum monthly benefit of \$120. If, by virtue of length of teaching service in Maine and verification of the teacher's salary at that time, a greater monthly benefit amount would be calculated under subsection 2, paragraph A, then the greater amount shall be paid.

Sec. 5. Application. Adjustments in benefits authorized by this Act, including recomputations pursuant to Title 5, section 1121, subsection 2, paragraph A, subparagraph (3), shall be effective on the first day of the month following the effective date of this Act, and shall be paid on the first monthly pension payroll subsequent to that day, and on every monthly pension thereafter.

Sec. 6. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act:

	1978-79
STATE RETIREMENT SYSTEM	
Retirement Allowance Fund	
All Other	\$988,296
Provides funds for the increase in benefits to teachers with teaching service prior to July 1, 1942	

STATEMENT OF FACT

The purpose of this bill is to equalize the benefits of teachers who taught in Maine prior to 1942 with the benefits of pre-1947 state employees. Presently, teachers with pre-1942 service receive retirement benefits for that period based on a calculation of 1/60th of average final compensation, while state employees with pre-1947 service receive benefits for that period based on 1/50th compensation. This bill changes the teacher's pre-1942 calculation from 1/60th to 1/50th.