

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1404

H. P. 1138

House of Representatives, March 22, 1979

Referred to the Committee on Aging, Retirement and Veterans. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Fowlie of Rockland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning Retirement for State Prison Employees.

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5 MRSA § 1121, sub-§ 4, ¶ F, as repealed and replaced by PL 1977, c. 580, § 11, is amended to read: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 retire at age 50 on a service retirement allowance, which shall be 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.

STATEMENT OF FACT

Certain employees of the Maine State Prison with 20 years of creditable service are eligible for retirement at age 50 on a retirement allowance equal to $\frac{1}{2}$ of

average final compensation. Each year of creditable service beyond the first 20 earned after age 50 will increase the retirement allowance benefits an additional 2% of average final compensation. Additional years of creditable service earned before age 50 will not increase the retirement allowance beyond the original $\frac{1}{2}$ of average final compensation. For instance, an employee beginning work at the prison at age 20 and earning 20 years of creditable service, may only be 40 years old. If he terminates his state employment at any time, he will be eligible for retirement benefits of $\frac{1}{2}$ of his average final compensation at age 50. If he continues to work at the prison from age 40 to age 50, he will still only receive $\frac{1}{2}$ of his average final compensation upon retirement at age 50. This encourages prison employees to resign just when they have become of greatest value to the prison. If he works at the prison until age 55, he will be eligible for 60% of his average final compensation.

This bill will provide credit at the rate of 2% of his average final compensation for each additional year of creditable service after his initial 20-year period.