

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1774

H. P. 1665

House of Representatives, January 8, 1980

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

EDWIN H. PERT, Clerk of the House

Presented by Mr. Theriault of Rumford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Permit Participating Local Districts of the Maine State Retirement System to Amend Retirement Benefits for Policemen and Fire Fighters Prospectively.

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

Sec. 1. 5 MRSA § 1121, sub-§ 4, ¶ A, as amended by PL 1971, c. 179, § E, § 1, is further amended by adding at the end the following new paragraph:

Any participating local district electing these benefits may, by filing with the board of trustees a duly certified copy of its action, discontinue any such benefit as to members of a fire or a police department, including the chiefs thereof and sheriffs and deputy sheriffs hired after the effective date of the action only, and may thereupon substitute for the benefit any other benefit provided for by this chapter.

Sec. 2. 5 MRSA § 1121, sub-§ 8, as last amended by PL 1975, c. 622, § 52, is further amended by adding at the end the following new sentence:

Any participating district which has selected a retirement provision under this subsection may, by filing with the board of trustees a duly certified copy of its action, discontinue any such benefit as to fire fighters, including the chief of a fire department, hired after the effective date of the action only, and may thereupon substitute for the benefit any other benefit provided for by this chapter, including any other benefit under this subsection.

Sec. 3. 5 MRSA § 1121, sub-§ 9, as last amended by PL 1975, c. 622, § 53, is further amended by adding at the end the following new sentence:

Any participating district which has selected a retirement provision under this subsection may, by filing with the board of trustees a duly certified copy of its action, discontinue any such benefit as to policemen, including the chief of a police department, hired after the effective date of the action only, and may thereupon substitute for the benefit any other benefit provided for by this chapter, including any other benefit under this subsection.

STATEMENT OF FACT

Public Law 1979, chapter 77, allows participating local districts with special retirement benefits of 1/2 pay after 20-25 years of service under section 1092, subsection 3, to discontinue those benefits prospectively. It was intended to apply to fire fighters and policemen in all local participating districts, including those with special retirement benefits under section 1121, subsections 4, 8 and 9. This bill corrects that error and provides uniformity of options among the participating local districts.