

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1449

6
7 H.P. 1098

House of Representatives, April 12, 1983

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

10 EDWIN H. PERT, Clerk

11 Presented by Representative McCollister of Canton.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Equalize the Years of
18 Participation and Benefits Under the
19 Maine State Retirement System.
20

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

23 Sec. 1. 5 MRSA §1092, sub-§3, as amended by PL
24 1979, c. 77, is further amended to read:

25 3. Retirement benefit for policemen, fire fight-
26 ers, local district employees, sheriffs and full-time
27 deputy sheriffs. Any participating local district, by
28 filing with the board of trustees a duly certified
29 copy of its action, may provide a retirement benefit
30 for policemen, fire fighters, sheriffs and full-time
31 deputy sheriffs or any other participating local dis-
32 trict employees, in lieu of the retirement benefits
33 otherwise provided in this chapter for these employ-
34 ees, of 1/2 average final compensation, after having

1 completed 20 to 25 years of service. Thereafter, the
2 participating local district, by filing with the
3 board of trustees a duly certified copy of its ac-
4 tion, may discontinue any such benefit as to employ-
5 ees in a class hired after the effective date of the
6 action only, and may thereupon substitute for the
7 benefit any other benefit provided for by this chap-
8 ter, including any other benefit under this subsec-
9 tion. This subsection shall apply only to members
10 hired prior to January 1, 1984.

11 Sec. 2. 5 MRSA §1092, sub-§3-A, as amended by PL
12 1979, c. 126, is further amended to read:

13 3-A. Additional retirement benefits. Any parti-
14 cipating local district, by filing with the board of
15 trustees a duly certified copy of its actions, may
16 provide an additional retirement benefit for all
17 employees eligible for retirement benefits or allow-
18 ances under ~~subsections~~ subsection 2 or 3 of this
19 section or under subsections 4, 8 and 9 of section
20 1121, of 2% of average final compensation for each
21 year of membership service not included in the age
22 and service conditions for retirement under these
23 sections.

24 Any participating local district, by filing with the
25 board of trustees a duly certified copy of its ac-
26 tions, may provide an additional retirement benefit
27 for any class of employees eligible for retirement
28 benefits or allowances under ~~subsections~~ subsection 2
29 or 3 or under section 1121, subsections 4, 8 and 9,
30 of 2% of average final compensation for each year of
31 membership service in the eligible employment served
32 only after completion of the age and service condi-
33 tions for retirement under these sections and after
34 the effective date of the action by the participating
35 local district.

36 Sec. 3. 5 MRSA §1095, sub-§7-A is enacted to
37 read:

38 7-A. Limitation. Subsections 2 to 7 shall apply
39 only to members hired prior to January 1, 1984.

40 Sec. 4. 5 MRSA §1121, sub-§1, ¶F is enacted to
41 read:

1 F. Paragraphs C, D and E shall apply only to
2 members hired prior to January 1, 1984.

3 Sec. 5. 5 MRSA §1121, sub-§4, ¶G is enacted to
4 read:

5 G. Paragraphs A, C, D and F shall apply only to
6 members hired prior to January 1, 1984.

7 Sec. 6. 5 MRSA §1121, sub-§8, as amended by PL
8 1979, c. 624, §2, is further amended to read:

9 8. Fire fighters. Any member who is a fire
10 fighter, including the chief of a fire department,
11 who has at least 25 years of service as a fire
12 fighter shall be permitted to retire upon attainment
13 of age 55. The service retirement allowance shall be
14 equal to 66 2/3% of his average final compensation or
15 the district may accept a retirement provision
16 whereby any member who is a fire fighter, including
17 the chief of a fire department, who has 20 to 25
18 years of service as a fire fighter shall be permitted
19 to retire, regardless of age, upon completion of the
20 number of years selected by said that district. Any
21 participating district which has selected a retire-
22 ment provision under this subsection may, by filing
23 with the board of trustees a duly certified copy of
24 its action, discontinue any such benefit as to fire
25 fighters, including the chief of a fire department,
26 hired after the effective date of the action only,
27 and may thereupon substitute for the benefit any
28 other benefit provided for by this chapter, including
29 any other benefit under this subsection. Nothing in
30 this ~~paragraph~~ paragraph may be construed to affect in
31 any way the rights of public employees to collec-
32 tively bargain for terms and conditions of employ-
33 ment. This subsection shall apply only to members
34 hired prior to January 1, 1984.

35 Sec. 7. 5 MRSA §1121, sub-§9, as amended by PL
36 1979, c. 624, §3, is further amended to read:

37 9. Police officers. Any member who is a police
38 officer, including the chief of a police department,
39 who has at least 25 years of service as a police
40 officer shall be permitted to retire upon attainment
41 of age 55. The service retirement allowance shall be

1 equal to 66 2/3% of his average final compensation or
2 the district may accept a retirement provision
3 whereby any member who is a police officer, including
4 the chief of the police department, who has 20 to 25
5 years of service as a police officer shall be permit-
6 ted to retire, regardless of age, upon completion of
7 the number of years selected by said that district.
8 Any participating district which has selected a
9 retirement provision under this subsection may, by
10 filing with the board of trustees a duly certified
11 copy of its action, discontinue any such benefit as
12 to policemen, including the chief of a police depart-
13 ment, hired after the effective date of the action
14 only, and may thereupon substitute for the benefit
15 any other benefit provided for by this chapter,
16 including any other benefit under this subsection.
17 Nothing in this paragraph may be construed to affect
18 in any way the rights of public employees to collec-
19 tively bargain for terms and conditions of employ-
20 ment. This subsection shall apply only to members
21 hired prior to January 1, 1984.

22

STATEMENT OF FACT

23 The purpose of this bill is to provide one stan-
24 dard retirement plan that is available to everyone on
25 an equal basis. With minor exception the legislation
26 equalizes the amount of service required to qualify
27 for retirement benefits and equalizes the benefits
28 received by different classes of retirees under the
29 retirement system.

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