

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2437

S.P. 926

In Senate, March 3, 1988

Reference to the Committee on Aging, Retirement and Veterans suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator PERKINS of Hancock.

Cosponsored by Senator BALDACCI of Penobscot, Representative GARLAND of Bangor, Representative DUFFY of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT to Provide a Special Exemption to**
2 **Bangor Pre-Release Center Employees for**
3 **Service Retirement Benefits.**
4

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

7 5 MRSA §17851, sub-§11, as enacted by PL 1985,
8 c. 801, §§5 and 7, is amended to read:

1 11. Maine State Prison employees. The warden or
2 deputy warden of the Maine State Prison, any officer
3 or employee of the Maine State Prison employed as a
4 guard or in the management of prisoners or any person
5 employed as the supervising officer of those officers
6 or employees qualifies for a service retirement
7 benefit if he:

8 A. Was employed in one of those capacities before
9 September 1, 1984, and:

10 (1) Completes 20 years of creditable service
11 in one or more of those capacities; and

12 (2) Retires upon or after reaching the age
13 of 50 years; or

14 B. Was employed in one of those capacities after
15 August 31, 1984, and completed 25 years of
16 creditable service in one or more of those
17 capacities.

18 Notwithstanding any other provision in this section,
19 no person in the employ of the Bangor Pre-Release
20 Center on the effective date of this subsection who
21 would have qualified for a service retirement benefit
22 if the Bangor Pre-Release Center had remained the
23 administrative responsibility of the Maine State
24 Prison may be denied such a benefit by virtue of the
25 transfer of that responsibility to the Charleston
26 Correctional Facility.

27 STATEMENT OF FACT

28 The Department of Corrections wishes to transfer
29 administrative responsibility for the Bangor
30 Pre-Release Center from the Maine State Prison to the
31 Charleston Correctional Facility. Presently,
32 employees of the center are considered employees of
33 the Maine State Prison and would qualify for a service
34 retirement benefit if they were to meet the
35 requirements for years of service. The planned
36 transfer in administrative responsibility would deny

1 that benefit to employees of the center. In order for
2 present employees of the center not to lose a benefit
3 they have reasonably expected to gain, this bill is
4 needed. Employees hired after the effective date of
5 this bill would have no such expectation and so the
6 bill would not give them a service retirement benefit.

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