

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2041

S.P. 719

In Senate, March 24, 1999

An Act to Eliminate Legislative Pensions.

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

2 **Sec. 1. 3 MRSA c. 29**, as amended, is repealed.

4 **Sec. 2. 5 MRSA §17001, sub-§40, ¶¶A and B**, as repealed and
6 replaced by PL 1987, c. 256, §3, are amended to read:

8 A. A judge, as defined in Title 4, section 1201 or 1301,
10 who is now or later may be entitled to retirement benefits
under Title 4, chapter 27 or 29; or

12 B. A member of the State Police who is now entitled to
retirement benefits under Title 25, chapter 195~~7-8~~.

14 **Sec. 3. 5 MRSA §17001, sub-§40, ¶C**, as repealed and replaced
16 by PL 1987, c. 256, §3, is repealed.

18 **Sec. 4. 5 MRSA §17851, sub-§1**, as amended by PL 1993, c. 410,
Pt. L, §32, is further amended to read:

20 **1. Member in service; 10 years of creditable service on**
22 **July 1, 1993.** A member who is in service when reaching 60 years
of age, or is in service after reaching 60 years of age,
24 qualifies for a service retirement benefit if the member:

26 A. Retires upon or after reaching 60 years of age; and

28 B. Has been in service for a minimum of one year
immediately before retirement or has at least 10 years of
30 creditable service, which may include creditable service as
a member of the Maine Legislative Retirement System under
32 former Title 3, section 701, subsection 8, before becoming a
member of the Maine State Retirement System.

34 This subsection applies to members who, on July 1, 1993, have 10
36 years of creditable service or who have reached 60 years of age
and have been in service for a minimum of one year immediately
38 before that date. For the purpose of calculating creditable
service under this subsection only, creditable service includes
40 time during which a member participated in the voluntary ~~est~~
~~savings~~ cost-savings plan or the voluntary employee incentive
42 program, authorized by Public Law 1989, chapter 702, Part F,
section F-6 6 and Public Law 1991, chapter 591, Part BB and
44 chapter 780, Part VV, or 10 years of combined creditable service
under this Part and former Title 3, chapter 29, or creditable
46 service available to a member that the member was eligible to
purchase on June 30, 1993 and that the member does purchase in
48 accordance with rules adopted by the board.

2 **Sec. 5. 5 MRSA §17851, sub-§1-A, ¶B**, as enacted by PL 1991, c.
591, Pt. EEE, §6 and affected by §18, is amended to read:

4 B. Has been in service for a minimum of one year
6 immediately before retirement or has at least 10 years of
7 creditable service, which may include creditable service as
8 a member of the Maine Legislative Retirement System under
9 former Title 3, section 701, subsection 8, before becoming a
10 member of the Maine State Retirement System.

11 **Sec. 6. 5 MRSA §17851, sub-§2**, as amended by PL 1993, c. 410,
12 Pt. L, §34, is further amended to read:

13 **2. Member not in service; 10 years of creditable service on**
14 **July 1, 1993.** A member who is not in service when reaching 60
15 years of age qualifies for a service retirement benefit if the
16 member:

17 A. Retires upon or after reaching 60 years of age; and

18 B. Has at least 10 years of creditable service or 5 full
19 terms as a Legislator, which may include creditable service
20 as a member of the Maine Legislative Retirement System under
21 former Title 3, section 701, subsection 8, before becoming a
22 member of the Maine State Retirement System.

23 This subsection applies to members who, on July 1, 1993, have 10
24 years of creditable service. For the purpose of calculating
25 creditable service under this subsection only, creditable service
26 includes time during which a member participated in the voluntary
27 cost savings plan or the voluntary employee incentive program,
28 authorized by Public Law 1989, chapter 702, section F-6 and
29 Public Law 1991, chapter 591, Part BB and chapter 780, Part VV,
30 or 10 years of combined creditable service under this Part and
31 former Title 3, chapter 29, or creditable service available to a
32 member that the member was eligible to purchase on June 30, 1993
33 and that the member does purchase in accordance with rules
34 adopted by the board.

35 **Sec. 7. 5 MRSA §17851, sub-§2-A, ¶B**, as enacted by PL 1991, c.
36 591, Pt. EEE, §8 and affected by §18, is amended to read:

37 B. Has at least 10 years of creditable service or 5 full
38 terms as a Legislator, which may include creditable service
39 as a member of the Maine Legislative Retirement System under
40 former Title 3, section 701, subsection 8, before becoming a
41 member of the Maine State Retirement System.

42 **Sec. 8. 5 MRSA §17851, sub-§3**, as repealed and replaced by PL
43 1987, c. 256, §14, is amended to read:

2 **3. Member with creditable service of 25 years or more.** A
3 member who has completed 25 or more years of creditable service
4 qualifies for a service retirement benefit if he that member
5 retires at any time after completing 25 years of service, which
6 may include, for the purpose of meeting eligibility requirements,
7 creditable service as a member of the Maine Legislative
8 Retirement System under former Title 3, section 701, subsection
9 8, before becoming a member of the Maine State Retirement System.

10 **Sec. 9. 5 MRSA §17852, sub-§3,** as amended by PL 1993, c. 410,
11 Pt. L, §36, is further amended to read:

12 **3. Member with creditable service of 25 years or more; 10**
13 **years of creditable service on July 1, 1993.** The amount of the
14 service retirement benefit for members qualified under section
15 17851, subsection 3, is computed in accordance with subsection 1,
16 except that:
17

18 A. The amount arrived at under subsection 1 is reduced by
19 applying to that amount the percentage that a life annuity
20 due at age 60 bears to the life annuity due at the age of
21 retirement; and
22

23 B. For the purpose of making the computation under
24 paragraph A, the board-approved tables of annuities in
25 effect at the date of the member's retirement are used.
26

27 This subsection applies to members who, on July 1, 1993, have 10
28 years of creditable service. For the purpose of calculating
29 creditable service under this subsection only, creditable service
30 includes time during which a member participated in the voluntary
31 ~~cost--savings~~ cost-savings plan or the voluntary employee
32 incentive program, authorized by Public Law 1989, chapter 702,
33 Part F, section F-6 6 and Public Law 1991, chapter 591, Part BB
34 and chapter 780, Part VV, or 10 years of combined creditable
35 service under this Part and former Title 3, chapter 29, or
36 creditable service available to a member that the member was
37 eligible to purchase on June 30, 1993 and that the member does
38 purchase in accordance with rules adopted by the board.
39

40 **Sec. 10. 5 MRSA §17852, sub-§4, ¶C,** as amended by PL 1993, c.
41 410, Pt. L, §38, is further amended to read:
42

43 C. For persons qualifying under section 17851, subsection
44 4, paragraph B, and who retire before reaching the age of
45 55, the retirement benefit is determined in accordance with
46 subsection 1, except that:
47
48

2 (1) The amount arrived at under subsection 1 is
4 reduced by applying to that amount the percentage that
a life annuity due at age 55 bears to the life annuity
due at the age of retirement; and

6 (2) For the purpose of making the computation under
8 subparagraph (1), the board-approved tables of
annuities in effect at the date of the member's
retirement is used.

10 This paragraph applies to members who, on July 1, 1993, have
12 10 years of creditable service. For the purpose of
calculating creditable service under this subsection only,
14 creditable service includes time during which a member
participated in the voluntary ~~cost-savings~~ cost-savings plan
16 or the voluntary employee incentive program, authorized by
Public Law 1989, chapter 702, Part F, section F-6 6 and
18 Public Law 1991, chapter 591, Part BB and chapter 780, Part
VV, or 10 years of combined creditable service under this
20 Part and former Title 3, chapter 29, or creditable service
available to a member that the member was eligible to
22 purchase on June 30, 1993 and that the member does purchase
in accordance with rules adopted by the board.

24 **Sec. 11. 5 MRSA §17852, sub-§5-B, ¶A**, as enacted by PL 1995,
26 c. 624, §6, is amended to read:

28 A. For members with 10 years of creditable service on July
30 1, 1993, the retirement benefit is determined in accordance
with subsection 1, except that:

32 (1) The amount arrived at under subsection 1 is
34 reduced by applying to that amount the percentage that
a life annuity due at 55 years of age bears to the life
annuity due at the age of retirement; and

36 (2) For the purpose of making the computation under
38 subparagraph (1), the board-approved tables of
annuities in effect at the date of the member's
40 retirement are used.

42 For the purpose of calculating creditable service under this
subsection only, "creditable service" includes time during
44 which a member participated in the voluntary cost-savings
plan or the voluntary employee incentive program, authorized
46 by Public Law 1989, chapter 702, Part F, section 6 and
Public Law 1991, chapter 591, Part BB and chapter 780, Part
48 VV; or 10 years of combined creditable service under this
Part and former Title 3, chapter 29; or creditable service
50 available to a member that the member was eligible to

2 purchase on June 30, 1993 and that the member does purchase
in accordance with rules adopted by the board.

4 **Sec. 12. 5 MRSA §17852, sub-§6-B, ¶A**, as enacted by PL 1995,
c. 624, §8, is amended to read:

6
8 A. For members with 10 years of creditable service on July
with subsection 1, except that:

10 (1) The amount arrived at under subsection 1 is
12 reduced by applying to that amount the percentage that
14 a life annuity due at 55 years of age bears to the life
annuity due at the age of retirement; and

16 (2) For the purpose of making the computation under
18 subparagraph (1), the board-approved tables of
retirement are used.

20
22 For the purpose of calculating creditable service under this
subsection only, "creditable service" includes time during
24 which a member participated in the voluntary cost-savings
plan or the voluntary employee incentive program, authorized
26 by Public Law 1989, chapter 702, Part F, section 6 and
Public Law 1991, chapter 591, Part BB and chapter 780, Part
28 Part and former Title 3, chapter 29; or creditable service
available to a member that the member was eligible to
30 purchase on June 30, 1993 and that the member does purchase
in accordance with rules adopted by the board.

32
34 **Sec. 13. 5 MRSA §17852, sub-§7-B, ¶A**, as enacted by PL 1995,
c. 624, §10, is amended to read:

36 A. For members with 10 years of creditable service on July
38 1, 1993, the retirement benefit is determined in accordance
with subsection 1, except that:

40 (1) The amount arrived at under subsection 1 is
42 reduced by applying to that amount the percentage that
a life annuity due at 55 years of age bears to the life
44 annuity due at the age of retirement; and

46 (2) For the purpose of making the computation under
subparagraph (1), the board-approved tables of
48 annuities in effect at the date of the member's
retirement are used.

2 For the purpose of calculating creditable service under this
3 subsection only, "creditable service" includes time during
4 which a member participated in the voluntary cost-savings
5 plan or the voluntary employee incentive program, authorized
6 by Public Law 1989, chapter 702, Part F, section 6 and
7 Public Law 1991, chapter 591, Part BB and chapter 780, Part
8 VV; or 10 years of combined creditable service under this
9 Part and former Title 3, chapter 29; or creditable service
10 available to a member that the member was eligible to
11 purchase on June 30, 1993 and that the member does purchase
12 in accordance with rules adopted by the board.

13 **Sec. 14. 5 MRSA §17852, sub-§10, ¶C**, as amended by PL 1993, c.
14 410, Pt. L, §40, is further amended to read:

15 C. For members who qualify under section 17851, subsection
16 11, paragraph B, and who retire before reaching the age of
17 55, the retirement benefit is determined in accordance with
18 subsection 1, except that:

19 (1) The amount arrived at under subsection 1 is
20 reduced by applying to that amount the percentage that
21 a life annuity due at age 55 bears to the life annuity
22 due at the age of retirement; and

23 (2) For the purpose of making the computation under
24 subparagraph (1), the board-approved tables of
25 annuities in effect at the date of the member's
26 retirement is used.

27 This paragraph applies to members who, on July 1, 1993, have
28 10 years of creditable service. For the purpose of
29 calculating creditable service under this subsection only,
30 creditable service includes time during which a member
31 participated in the voluntary ~~est-savings~~ cost-savings plan
32 or the voluntary employee incentive program, authorized by
33 Public Law 1989, chapter 702, Part F, section F-6 6 and
34 Public Law 1991, chapter 591, Part BB and chapter 780, Part
35 VV, or 10 years of combined creditable service under this
36 Part and former Title 3, chapter 29, or creditable service
37 available to a member that the member was eligible to
38 purchase on June 30, 1993 and that the member does purchase
39 in accordance with rules adopted by the board.

40 **Sec. 15. 5 MRSA §17852, sub-§12, ¶A**, as enacted by PL 1995, c.
41 624, §12, is amended to read:

42 A. For members with 10 years of creditable service on July
43 1, 1993, the retirement benefit is determined in accordance
44 with subsection 1, except that:

2 (1) The amount arrived at under subsection 1 is
4 reduced by applying to that amount the percentage that
a life annuity due at 55 years of age bears to the life
annuity due at the age of retirement; and

6
8 (2) For the purpose of making the computation under
subparagraph (1), the board-approved tables of
annuities in effect at the date of the member's
10 retirement are used.

12 For the purpose of calculating creditable service under this
subsection only, "creditable service" includes time during
14 which a member participated in the voluntary cost-savings
plan or the voluntary employee incentive program, authorized
16 by Public Law 1989, chapter 702, Part F, section 6 and
Public Law 1991, chapter 591, Part BB and chapter 780, Part
18 VV; or 10 years of combined creditable service under this
Part and former Title 3, chapter 29; or creditable service
20 available to a member that the member was eligible to
purchase on June 30, 1993 and that the member does purchase
22 in accordance with rules adopted by the board.

24 **Sec. 16. 5 MRSA §17852, sub-§14, ¶A**, as enacted by PL 1997, c.
401, §3, is amended to read:

26
28 A. For members with 10 years of creditable service on July
1, 1993, the retirement benefit is determined in accordance
with subsection 1, except that:

30
32 (1) The amount arrived at under subsection 1 is
reduced by applying to that amount the percentage that
34 a life annuity due at 55 years of age bears to the life
annuity due at the age of retirement; and

36
38 (2) For the purpose of making the computation under
subparagraph (1), the board-approved tables of
annuities in effect at the date of the member's
40 retirement are used.

42 For the purpose of calculating creditable service under this
subsection only, "creditable service" includes time during
44 which a member participated in the voluntary cost-savings
plan or the voluntary employee incentive program, authorized
46 by Public Law 1989, chapter 702, Part F, section 6 and
Public Law 1991, chapter 591, Part BB and chapter 780, Part
48 VV; 10 years of combined creditable service under this Part
and former Title 3, chapter 29; or creditable service
available to a member that the member was eligible to

2 purchase on June 30, 1993 and that the member does purchase
in accordance with rules adopted by the board.

4 **Sec. 17. 5 MRSA §17852, sub-§16, ¶A**, as enacted by PL 1997, c.
6 401, §3, is amended to read:

8 A. For members with 10 years of creditable service on July
1, 1993, the retirement benefit is determined in accordance
with subsection 1, except that:

10 (1) The amount arrived at under subsection 1 is
12 reduced by applying to that amount the percentage that
a life annuity due at 55 years of age bears to the life
14 annuity due at the age of retirement; and

16 (2) For the purpose of making the computation under
18 subparagraph (1), the board-approved tables of
annuities in effect at the date of the member's
retirement are used.

20 For the purpose of calculating creditable service under this
22 subsection only, "creditable service" includes time during
which a member participated in the voluntary cost-savings
24 plan or the voluntary employee incentive program, authorized
by Public Law 1989, chapter 702, Part F, section 6 and
26 Public Law 1991, chapter 591, Part BB and chapter 780, Part
VV; 10 years of combined creditable service under this Part
28 and former Title 3, chapter 29; or creditable service
available to a member that the member was eligible to
30 purchase on June 30, 1993 and that the member does purchase
in accordance with rules adopted by the board.

32 **Sec. 18. 5 MRSA §17857, sub-§3-A**, as amended by PL 1997, c.
34 769, §19, is further amended by amending the last blocked
paragraph to read:

36 This subsection applies to members who on July 1, 1993 have less
38 than 10 years of creditable service under this Part. For the
purpose of calculating creditable service under this subsection
40 only, creditable service includes time during which a member
participated in the voluntary ~~est-savings~~ cost-savings plan or
42 the voluntary employee incentive program, authorized by Public
Law 1989, chapter 702, Part F, section 6 and Public Law 1991,
44 chapter 591, Part BB and chapter 780, Part VV, or 10 years of
combined creditable service under this Part and former Title 3,
46 chapter 29, or creditable service available to a member that the
member was eligible to purchase on June 30, 1993 and that the
48 member does purchase in accordance with rules adopted by the
board.

50

2 **Sec. 19. 5 MRSA §18061, sub-§2**, as amended by PL 1993, c. 386,
§4, is further amended by amending the first paragraph to read:

4 **2. Retirement.** If, on the date the insurance would
otherwise terminate, the employee retires, in accordance with
6 former Title 3, chapter 29, Title 4, chapter 27 or 29 or this
Part, the employee's basic life insurance only must be continued
8 without cost to the employee and in the amounts provided in this
subsection.

10 **Sec. 20. 5 MRSA §18451, sub-§3**, as repealed and replaced by PL
12 1987, c. 256, §38, is amended to read:

14 **3. Member with creditable service of 25 years or more.** A
member who has completed 25 or more years of creditable service
16 qualifies for a service retirement benefit if ~~he~~ that member
retires at any time after completing 25 years of service, which
18 may include, for the purpose of meeting eligibility requirements,
creditable service as a member of the Maine Legislative
20 Retirement System under former Title 3, section 701, subsection
8, before becoming a member of the Maine State Retirement System.

22

24

SUMMARY

26

This bill eliminates the legislative retirement system.