

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)



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 301

S.P. 81

In Senate, January 30, 2001

**An Act to Implement the Recommendations of the Judicial
Compensation Commission Regarding Retirement Benefits.**

Reported by Senator Rand for the Judicial Compensation Commission pursuant to the
Maine Revised Statutes, Title 4, section 1701

Reference to the Committee on Judiciary suggested and ordered printed.

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

JOY J. O'BRIEN
Secretary of the Senate

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44

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

Sec. 1. 4 MRSA §1352, sub-§1, as amended by PL 1997, c. 643, Pt. M, §12, is further amended to read:

1. Amount. The service retirement allowance of a member is determined under the provisions of this chapter in effect on the member's date of final termination of service. Subject to the maximum benefit provided for in subsection 3 3-A and the minimum benefit provided for in subsection 4, the total amount of the retirement allowance of a member retired in accordance with section 1351 is equal to the sum of:

A. 1/50 of the member's average final compensation multiplied by the number of years of membership service, from December 1, 1984 to June 30, 1998 and creditable service allowed under section 1302, subsection 3;

B. The earned benefit for prior service as a judge as determined by subsection 2; and

C. Three percent of the member's average final compensation multiplied by the number of years of membership service beginning July 1, 1998.

Sec. 2. 4 MRSA §1352, sub-§3, as amended by PL 1997, c. 643, Pt. M, §12, is repealed.

Sec. 3. 4 MRSA §1352, sub-§3-A is enacted to read:

3-A. Maximum benefit. Except as provided in subsection 4, a judge in service on December 1, 1984, or appointed on or after December 1, 1984, may not receive a benefit that exceeds 70% of that judge's average final compensation, not including adjustments under section 1358. The benefit amount of any judge retired prior to the effective date of this subsection whose benefit amount was limited according to the terms of former subsection 3 must be recalculated according to this subsection and the recalculated amount must be paid retroactive to the judge's effective date of retirement.

SUMMARY

This bill implements certain recommendations of the Judicial Compensation Commission established by the Maine Revised Statutes, Title 4, chapter 35. The purpose of this bill is to attract the most highly qualified candidates to the bench by improving the retirement benefits provided to the State's

2 judiciary. The bill improves the retirement benefit under the
Maine Judicial Retirement System by increasing the maximum
4 benefit from 60% to 70% of average final compensation for judges
appointed on or after December 1, 1984.