

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1276

H.P. 963

House of Representatives, February 28, 2001

**An Act to Allow County Corrections Personnel to Participate in the  
Same Retirement Plan as Other Corrections Personnel.**

(EMERGENCY)

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Reference to the Committee on Labor suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative WHEELER of Bridgewater.  
Cosponsored by Senator DAVIS of Piscataquis and  
Representatives: BELANGER of Caribou, BUCK of Yarmouth, CLARK of Millinocket,  
COLLINS of Wells, GERZOFKY of Brunswick, SHERMAN of Hodgdon, STEDMAN of  
Hartland, WHEELER of Eliot.

2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
6           **Whereas,** certain categories of state, county and local  
employees are eligible for a pension under special retirement  
plans that provide full benefits after shorter periods of service  
8 or at a younger age than under the regular retirement plan in  
recognition of the danger involved in their jobs and the need for  
10 a youthful, vigorous workforce to accomplish those jobs; and

12           **Whereas,** state corrections officials, county sheriffs and  
deputy sheriffs, local police and other public employees have  
14 special retirement benefits available to them; and

16           **Whereas,** county corrections employees perform a vital public  
safety function for county government which involves the risk of  
18 bodily harm and requires a youthful and vigorous workforce; and

20           **Whereas,** in order to attract and retain qualified county  
corrections employees, it is necessary to provide special  
22 retirement benefits immediately to county corrections employees;  
and

24           **Whereas,** in the judgment of the Legislature, these facts  
26 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
28 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

32           **Sec. 1. 5 MRSA §18453, sub-§9,** as enacted by PL 1985, c. 801,  
34 §§5 and 7, is amended to read:

36           **9. Sheriff, Deputy Sheriff and other county corrections**  
**employee special plan.** A retirement benefit equal to 1/2 of his  
38 the average final compensation to a sheriff or, deputy sheriff or  
county corrections employee who has completed at least 25 years  
40 of creditable service in that capacity and who retires upon or  
after reaching age 55. For the purposes of this subsection,  
42 "county corrections employee" means an employee of a county who  
is employed at a county jail and whose duties include contact  
44 with prisoners or juvenile detainees.

46           **Sec. 2. Amend participating District Consolidated Plan.** The Maine  
State Retirement System shall amend its rule, Chapter 803,  
48 Participating Local District Consolidated Plan, adopted pursuant  
to the Maine Revised Statutes, section 18801 to provide county  
50 government the option of offering special retirement plans

2 for county correctional employees identical to the special  
retirement plans available for other local and county government  
4 employees. The definition of county correctional employees is as  
provided in section 1 of this Act. The rules must be adopted by  
October 1, 2001.

6  
8 **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

10  
12 **SUMMARY**

14 This bill provides the option to county government of  
providing a special retirement plan for county correctional  
16 employees identical to the retirement plans available to county  
sheriffs and deputy sheriffs.