

MAINE STATE LEGISLATURE

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LABOR

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT **A** to S.P. 494, L.D. 1583, Bill, "An Act to Provide Pension Equity for Mental Health Workers"

Amend the bill in section 2 in paragraph L in the first line (page 1, line 17 in L.D.) by striking out the following: "Mental health workers" and inserting in its place the following: 'Employees'

Further amend the bill by striking out all of sections 5, 6 and 7 and inserting in their place the following:

'Sec. 5. 5 MRSA §17851-A, sub-§4, ¶B, as amended by PL 1999, c. 731, Pt. CC, §5, is further amended to read:

B. Except as provided in paragraph D, if some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H and, before January 1, 2000 for employees identified in subsection 1, paragraphs I to K and before January 1, 2002 for employees identified in subsection 1, paragraph L and some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 for employees identified in subsection 1, paragraphs A to H and, after December 31, 1999 for employees identified in subsection 1, paragraphs I to K and after December 31, 2001 for employees identified in subsection 1, paragraph L, then the member's service retirement benefit must be computed in segments and the amount of the member's service retirement benefit is the sum of the segments. The segments must be computed as follows:

2 (1) The segment or, if the member served in more than
4 one of the capacities specified in subsection 1 and the
6 benefits related to the capacities are not
8 interchangeable under section 17856, segments that
10 reflect creditable service earned before July 1, 1998
12 for employees identified in subsection 1, paragraphs A
14 to H and, before January 1, 2000 for employees
16 identified in subsection 1, paragraphs I to K and
18 before January 1, 2002 for employees identified in
20 subsection 1, paragraph L or purchased by repayment of
22 an earlier refund of accumulated contributions for
24 service before July 1, 1998 for employees identified in
26 subsection 1, paragraphs A to H and, before January 1,
28 2000 for employees identified in subsection 1,
30 paragraphs I to K and before January 1, 2002 for
32 employees identified in subsection 1, paragraph L in a
34 capacity or capacities specified in subsection 1, or
36 purchased by other than the repayment of a refund and
38 eligibility to make the purchase of the service credit,
40 including, but not limited to, service credit for
42 military service, was achieved before July 1, 1998 for
44 employees identified in subsection 1, paragraphs A to H
46 and, before January 1, 2000 for employees identified in
48 subsection 1, paragraphs I to K and before January 1,
50 2002 for employees identified in subsection 1,
paragraph L, must be computed under section 17852,
subsection 1, paragraph A. If the member is qualified
under subsection 2, paragraph B and:

(a) Had 10 years of creditable service on July 1,
1993, the amount of the segment or segments must
be reduced as provided in section 17852,
subsection 3, paragraphs A and B; or

(b) Had fewer than 10 years of creditable service
on July 1, 1993, the amount of the segment or
segments must be reduced as provided in section
17852, subsection 3-A; and

(2) The segment that reflects creditable service
earned after June 30, 1998 for employees identified in
subsection 1, paragraphs A to H and, after December 31,
1999 for employees identified in subsection 1,
paragraphs I to K and after December 31, 2001 for
employees identified in subsection 1, paragraph L or
purchased by repayment of an earlier refund of
accumulated contributions for service after June 30,
1998 for employees identified in subsection 1,
paragraphs A to H and, after December 31, 1999 for

2 employees identified in subsection 1, paragraphs I to K
and after December 31, 2001 for employees identified in
3 subsection 1, paragraph L in any one or a combination
4 of the capacities specified in subsection 1, or
5 purchased by other than the repayment of a refund and
6 eligibility to make the purchase of the service credit,
7 including, but not limited to, service credit for
8 military service, was achieved after June 30, 1998 for
9 employees identified in subsection 1, paragraphs A to H
10 and, after December 31, 1999 for employees identified
11 in subsection 1, paragraphs I to K and after December
12 31, 2001 for employees identified in subsection 1,
13 paragraph L, must be computed under section 17852,
14 subsection 1, paragraph A. If the member is qualified
15 under subsection 2, paragraph B and:

16 (a) Had 10 years of creditable service on July 1,
17 1993, the segment amount must be reduced in the
18 manner provided in section 17852, subsection 3,
19 paragraphs A and B for each year that the member's
20 age precedes 55 years of age; or

21 (b) Had fewer than 10 years of creditable service
22 on July 1, 1993, the segment amount must be
23 reduced by 6% for each year that the member's age
24 precedes 55 years of age.

25 **Sec. 6. 5 MRSA §17851-A, sub-§5,** as amended by PL 1999, c.
26 493, §9, is further amended to read:

27 **5. Contributions.** Notwithstanding any other provision of
28 subchapter III, after June 30, 1998, for employees identified in
29 subsection 1, paragraphs A to H, and after December 31, 1999, for
30 employees identified in subsection 1, paragraphs I to K and after
31 December 31, 2001 for employees identified in subsection 1,
32 paragraph L, a member in the capacities specified in subsection 1
33 must contribute to the retirement system or have pick-up
34 contributions made at the rate of 8.65% of earnable compensation
35 until the member has completed 25 years of creditable service as
36 provided in this section and at the rate of 7.65% thereafter.

37 **Sec. 7. Appropriation.** The following funds are appropriated
38 from the General Fund to carry out the purposes of this Act.

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	2001-02	2002-03
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49 **MENTAL HEALTH, MENTAL RETARDATION**
50 **AND SUBSTANCE ABUSE SERVICES,**
51 **DEPARTMENT OF**

2 **Elizabeth Levinson Center**

4 Personal Services \$7,345 \$7,345

6 Provides funds for the .85%
 8 increase to the normal
 10 retirement rate for certain
 mental health workers due to
 a plan change.

12 **Aroostook Residential Center**

14 Personal Services \$3,548 \$3,548

16 Provides funds for the .85%
 18 increase to the normal
 retirement rate for certain
 20 mental health workers due to
 a plan change.

22 **Augusta Mental Health Institute**

24 Personal Services \$23,889 \$23,889

26 Provides funds for the .85%
 28 increase to the normal
 retirement rate for certain
 30 mental health workers due to
 a plan change.

32 **Bangor Mental Health Institute**

34 Personal Services \$26,743 \$26,743

36 Provides funds for the .85%
 38 increase to the normal
 retirement rate for certain
 40 mental health workers due to
 a plan change.

42 **DEPARTMENT OF MENTAL HEALTH,
 44 MENTAL RETARDATION AND
 SUBSTANCE ABUSE SERVICES
 46 TOTAL**

\$61,525 \$61,525

48 **Sec. 8. Allocation.** The following funds are allocated from the
 Federal Expenditures Fund to carry out the purposes of this Act.

2		2001-02	2002-03
4	MENTAL HEALTH, MENTAL RETARDATION		
6	AND SUBSTANCE ABUSE SERVICES,		
8	DEPARTMENT OF		
	Bangor Mental Health Institute		
10	Personal Services	\$163	\$163
12	Provides funds for the .85%		
14	increase to the normal		
16	retirement rate for certain		
	mental health workers due to		
	a plan change.		
18	Sec. 9. Allocation. The following funds are allocated from		
20	Other Special Revenue funds to carry out the purposes of this Act.		
		2001-02	2002-03
22	MENTAL HEALTH, MENTAL RETARDATION		
24	AND SUBSTANCE ABUSE SERVICES,		
26	DEPARTMENT OF		
	Augusta Mental Health Institute		
28	Personal Services	\$47,850	\$47,850
30	Provides funds for the .85%		
32	increase to the normal		
34	retirement rate for certain		
	mental health workers due to		
	a plan change.		
36	Bangor Mental Health Institute		
38	Personal Services	\$53,566	\$53,566
40	Provides funds for the .85%		
42	increase to the normal		
44	retirement rate for certain		
	mental health workers due to		
	a plan change.		
46	DEPARTMENT OF MENTAL HEALTH,		
48	MENTAL RETARDATION AND		
50	SUBSTANCE ABUSE SERVICES		
	TOTAL	\$101,416	\$101,416'

2 Further amend the bill by inserting at the end before the
summary the following:

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FISCAL NOTE

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2001-02

2002-03

10

APPROPRIATIONS/ALLOCATIONS

12

General Fund

\$61,525

\$61,525

14

Other Funds

101,579

101,579

16

The retirement plan change for certain mental health workers will increase the normal cost component of the employer retirement rate, resulting in increased employer contributions to the Maine State Retirement System for certain state employees during the current biennium by a total of \$163,104 in fiscal year 2001-02 and \$163,104 in fiscal year 2002-03.

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The Department of Mental Health, Mental Retardation and Substance Abuse Services will require: additional General Fund appropriations of \$61,525 and \$61,525 in fiscal years 2001-02 and 2002-03, respectively; additional Federal Expenditure Fund allocations of \$163 and \$163 in fiscal years 2001-02 and 2002-03, respectively; and additional Other Special Revenue funds allocations of \$101,416 and \$101,416 in fiscal years 2001-02 and 2002-03, respectively.'

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SUMMARY

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This amendment clarifies the definition of "employees covered," the calculation of benefits and the employee contribution required under the 1998 Special Retirement Plan. The amendment also corrects cross-references and adds an appropriation section, allocation sections and a fiscal note to the bill.

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