# MAINE STATE LEGISLATURE

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## 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

**Legislative Document** 

No. 1009

H.P. 730

House of Representatives, February 25, 2003

An Act Concerning Retirement Benefits for State Employees

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUPLESSIE of Westbrook.
Cosponsored by President DAGGETT of Kennebec and
Representatives: ADAMS of Portland, Speaker COLWELL of Gardiner, LERMAN of
Augusta, O'BRIEN of Lewiston, RICHARDSON of Brunswick, Senators: GAGNON of
Kennebec, TREAT of Kennebec.

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

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Sec. 1. 5 MRSA §17001, sub-§4, as amended by PL 1993, c. 410, Pt. RR, §1, is further amended to read:

The average annual rate of earnable compensation of a member during the 3 years of creditable service as an employee in Maine, not necessarily consecutive, in which the member's annual rate of earnable compensation is highest. However, if a member is subject to a temporary layoff or other time off without pay as a result of a Governor's Executive Order, time off without pay or loss of pay pursuant to the agreements of February 15, 1991, October 23, 1991 and June 11, 1993 between the Executive Department and the American Federation of State, County and Municipal Employees, Council 93, time off without pay pursuant to the agreement of June 11, 1993 between the Executive Department and the Maine State Employees Association, days off without pay as authorized by legislative action or days off without resulting from any executive order declaring continuing a state of emergency relating to the lack of an enacted budget document for fiscal years ending June 30, 1992 and June 30, 1993 or as a result of days off without pay as authorized by legislative action or from executive order for the fiscal year beginning July 1, 2002, or, if a member is subject to days off without pay, not to exceed 10 days in each fiscal year ending June 30, 1992 and June 30, as a result of actions taken by local administrative units to offset school subsidy reductions or, notwithstanding section 18202, as a result of actions of a participating local district to offset reductions municipal revenue sharing or a combination thereof, for the fiscal years ending June 30, 1992 and June 30, 1993, the 3-year average final compensation must be determined as if the member had not been temporarily laid off, reduced in pay or provided days off without pay; or

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### **SUMMARY**

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This bill protects state worker retirement benefits from furlough days without pay imposed this fiscal year.