

MAINE STATE LEGISLATURE

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SMG
R. B. B.

L.D. 1776

Date: 4-7-10

(Filing No. S-542)

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 683,
L.D. 1776, Bill, "An Act To Protect Teacher Retirement Income"

Amend the amendment on page 1 by striking out all of the 6th indented paragraph (page 1, lines 23 to 27 in amendment) and inserting the following:

'Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 5 MRSA §17001, sub-§4, ¶A, as amended by PL 2009, c. 571, Pt. RRR, §1, is further amended to read:

A. 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 pay resulting from any executive order declaring or 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, if a member elects to make the payments as set forth in section 17704-B, as a result of days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay as authorized by legislative action, by the State Court Administrator or from executive order for the fiscal year beginning July 1, 2002, July 1, 2009 or July 1, 2010, or a combination thereof, 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, 1993, as a result of actions taken by local school administrative units to offset school subsidy reductions, or, if a member is subject to days off without pay during the fiscal year beginning July 1, 2009 or July 1, 2010, as a result of actions taken by a local school administrative unit and the member elects to make the payments as set forth in section 17704-B or, notwithstanding section 18202, as a result of actions of a participating local district to offset reductions in municipal revenue sharing or a

SENATE AMENDMENT

P. 683

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 683, L.D. 1776

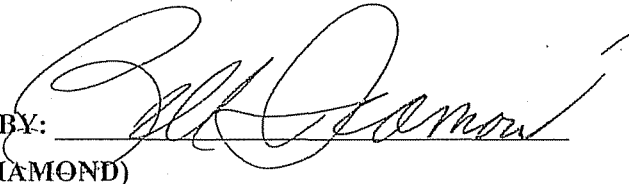
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combination thereof, for the fiscal years ending June 30, 1992 and June 30, 1993, or, if a member is subject to days off without pay during the fiscal year beginning July 1, 2009 or July 1, 2010, as a result of actions of a participating local district and the member elects to make the payments as set forth in section 18305-C, 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'

SUMMARY

This amendment makes changes to conform to changes made in the supplemental budget, Public Law 2009, chapter 571.

SPONSORED BY: 

(Senator DIAMOND)

COUNTY: Cumberland

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1776

LR 2539(04)

An Act To Protect Teacher Retirement Income

Fiscal Note for Senate Amendment "A" to Committee Amendment "A"

Sponsor: Sen. Diamond of Cumberland

Fiscal Note Required: Yes

Fiscal Note

Removes potential future biennium cost increase - General Fund

Fiscal Detail and Notes

This amendment removes the provision in the bill allowing teachers covered by the Maine Public Employees Retirement System to purchase time attributable to days off without pay during fiscal year 2009-10 and fiscal year 2010-11 as a result of actions taken by a school administrative unit. The provision was already included in Public Law 2009, Chapter 571, Part RRR, the 2010-2011 supplemental budget bill.

As amended, this legislation allows participating local district employees covered by the Maine Public Employees Retirement System to purchase time attributable to days off without pay during fiscal year 2009-10 and fiscal year 2010-11 as a result of actions taken by a participating local district. As amended, this legislation will not result in an unfunded actuarial liability to the Participating Local District Program. The potential impact on the employers' future contribution rate can not be determined at this time and will be based on the future experience of the plan.