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)

1	L.D. 927
2	Date: 4/14/16 Majority (Filing No. H-674)
3	APPROPRIATIONS AND FINANCIAL AFFAIRS
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	127TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10	COMMITTEE AMENDMENT "A" to H.P. 646, L.D. 927, Bill, "An Act To Remove the Age Penalty for State Retirees Working at Institutions That Are Closing"
11	Amend the bill by striking out the title and substituting the following:
12 13	'An Act To Remove the Age Penalty for State Retirees Working at State Correctional Institutions That Are Closing'
14 15	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
16	'Sec. 1. 5 MRSA §17852-A is enacted to read:
17	§17852-A. Computation of benefit for certain correctional facility employees
18 19	1. Definition. As used in this section, unless the context otherwise indicates, "correctional facility" has the same meaning as in Title 34-A, section 1001, subsection 6.
20 21 22 23	2. Correctional facility employees. Notwithstanding section 17852 and any other provision of law, the service retirement benefit for a member for whom an appropriation of funds has been made under subsection 4 is computed as provided in subsection 3 if the member:
24	A. Has creditable service of 25 years or more;
25 26	B. Has not reached what would be the member's normal retirement age absent this section;
27 28	C. Is employed in a correctional facility that closes and that is located more than 100 miles from the nearest correctional facility; and
29	D. Retires as a direct result of the closure of the facility described in paragraph C.
30 31 32	3. Benefit. The amount of the service retirement benefit for a member qualified under subsection 2 is 1/50 of the member's average final compensation multiplied by the number of years of creditable service.

Page 1 - 127LR0877(02)-1

COMMITTEE AMENDMENT

16

17 18

19

20 21

22

23 24

25

26

1	4. Appropriation of funds. The service retirement benefit for a member who meets
2	the conditions of subsection 2 is computed under subsection 3 only if the retirement
3	system has received an appropriation from the Legislature for the additional actuarial
4	costs that result from the elimination of a reduction for retirement prior to normal
5	retirement age.
6	5. Certification. The Commissioner of Administrative and Financial Services shall
7	provide certification of the pending closure of a correctional facility to the retirement
8	system. The retirement system shall calculate the funds necessary under subsection 4
9	and report that information to the joint standing committee of the Legislature having
10	jurisdiction over retirement matters. The committee is authorized to report out legislation
11	appropriating funds for the costs set forth in the report.'
12	SUMMARY
13	This amendment strikes the bill and replaces it with language that allows employees
14	at certain state correctional facilities who have not reached their normal retirement age to
15	retire and receive their full retirement benefit if certain conditions are met and funding is

retire and receive their full retirement benefit if certain conditions are met and funding is appropriated for the additional actuarial costs that result from the elimination of a reduction for retirement prior to normal retirement age.

This amendment requires the Commissioner of Administrative and Financial Services to provide certification of the pending closure of a state correctional facility to the Maine Public Employees Retirement System. The amendment requires the retirement system to calculate the amount of funding necessary to pay for the actuarial costs and report that information to the joint standing committee of the Legislature having jurisdiction over retirement matters. The amendment provides that the joint standing committee may report out legislation appropriating funds for the costs set forth in the report.

FISCAL NOTE REQUIRED

(See attached)

Page 2 - 127LR0877(02)-1



127th MAINE LEGISLATURE

LD 927

LR 877(02)

An Act To Remove the Age Penalty for State Retirees Working at Institutions That Are Closing

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-474)
Committee: Appropriations and Financial Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund Minor cost increase - Other Funds

Fiscal Detail and Notes

Additional costs to the Department of Administrative and Financial Services to provide the required certification and the Maine Public Employees Retirement System to perform the required calculations and submit a report can be absorbed within each agency's existing budgeted resources.