

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 185

S.P. 89

In Senate, January 13, 2023

**An Act to Reduce the Benefit Penalty Imposed on Career Educators
Who Retire After 35 Years of Service**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President JACKSON of Aroostook.
Cosponsored by Representative BRENNAN of Portland and
Senators: RAFFERTY of York, TIPPING of Penobscot, Representative: ROEDER of Bangor.

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

2 **Sec. 1. 5 MRSA §17851, sub-§3-B** is enacted to read:

3 **3-B. School administrator or teacher with creditable service of 35 years or more**
4 **in service at retirement.** A school administrator or teacher in service who has completed
5 35 or more years of creditable service qualifies for a service retirement benefit if the
6 member retires at any time after completing 35 years of service.

7 **Sec. 2. 5 MRSA §17852, sub-§3-C** is enacted to read:

8 **3-C. School administrator or teacher with creditable service of 35 years or more**
9 **in service at retirement; 10 years of creditable service on July 1, 1993.** Notwithstanding
10 subsection 3, the amount of the service retirement benefit for a school administrator or
11 teacher qualified under section 17851, subsection 3-B is computed in accordance with
12 subsection 1, except that the benefit is reduced by 2% for each year that the school
13 administrator's age or teacher's age precedes 60 years of age.

14 This subsection applies to members who, on July 1, 1993, have 10 years of creditable
15 service. For the purpose of calculating creditable service under this subsection, creditable
16 service includes time during which a member participated in the voluntary cost savings
17 plan or the voluntary employee incentive program, authorized by Public Law 1989, chapter
18 702, Part F, section 6 and Public Law 1991, chapter 591, Part BB and chapter 780, Part
19 VV, or 10 years of combined creditable service under this Part and Title 3, chapter 29, or
20 creditable service available to a member that the member was eligible to purchase on June
21 30, 1993 and that the member does purchase in accordance with rules adopted by the board.

22 **SUMMARY**

23 This bill allows school administrators and teachers in service after 35 years of
24 creditable service to retire and collect retirement benefits and reduces those benefits by 2%
25 for each year that the school administrator's age or teacher's age precedes 60 years of age.