

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2023

**CHAPTER 435
H.P. 287 - L.D. 470**

**An Act to Support Lead
Abatement in Older
Residential Properties**

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

HOUSING AUTHORITY, MAINE STATE

Lead Abatement Fund Z267

Initiative: Provides one-time funds for the abatement of lead paint hazards in residential housing and for the cost of administering the lead abatement program.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$300,000
GENERAL FUND TOTAL	\$0	\$300,000

See title page for effective date.

**CHAPTER 436
H.P. 300 - L.D. 483**

**An Act to Amend the Laws
Governing Retirement Benefit
Reductions for Certain
Employees Currently Included
in the 1998 Special Plan**

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

Sec. 1. Computation of service retirement benefits for certain employees of the Department of Corrections. Notwithstanding the Maine Revised Statutes, Title 5, section 17851-A, subsection 4 or any other provision of law to the contrary, the service retirement benefit of a qualified member must be computed on the basis of all of the qualified member's creditable service in the capacity specified in Title 5, section 17851-A, subsection 1, paragraph I, regardless of when that creditable service was earned, except that for a member qualifying for a retirement benefit under Title 5, section 17851-A, subsection 2, paragraph B:

1. If the member had 10 years of creditable service on July 1, 1993, the benefit must be reduced as provided in Title 5, section 17852, subsection 3, paragraphs A and B for each year the member's age precedes 55 years of age; or
2. If the member had fewer than 10 years of creditable service on July 1, 1993, the benefit must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. 2. Qualified member; definition. As used in this Act, "qualified member" means a member on the effective date of this Act to whom the Maine Revised Statutes, Title 5, section 17851-A, subsection 1, paragraph I applies and who:

1. Was employed by the Department of Corrections prior to January 1, 2000; and
2. Notwithstanding Title 5, section 17851-A, subsection 1, paragraph E, on the effective date of this Act is employed in a position with the title of:
 - A. Director or chief of security;
 - B. Correctional captain or lieutenant;
 - C. Corrections unit manager;
 - D. Chief correctional industries manager or correctional industries manager;
 - E. Correctional building maintenance supervisor, correctional electrician supervisor or correctional maintenance mechanic;
 - F. Chief corrections firearms instructor; or
 - G. Juvenile facilities operations supervisor or juvenile program manager.

As used in this Act, the terms "creditable service," "member" and "retirement benefit" have the same meanings as in Title 5, section 17001.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

Retirement System - Retirement Allowance Fund 0085

Initiative: Provides one-time funds for the increase in the unfunded actuarial liability as a result of allowing the service retirement benefits for certain employees in the Department of Corrections earned under the regular state employee and teacher plan to be calculated under the 1998 Special Plan.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$170,054
GENERAL FUND TOTAL	\$0	\$170,054

Sec. 4. Effective date. This Act takes effect July 1, 2024.

Effective July 1, 2024.