



131st MAINE LEGISLATURE

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Legislative Document

No. 483

H.P. 300

House of Representatives, February 7, 2023

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

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.
Cosponsored by President JACKSON of Aroostook and
Representatives: LOOKNER of Portland, MILLIKEN of Blue Hill, ROEDER of Bangor,
SALISBURY of Westbrook, Senators: BEEBE-CENTER of Knox, TIPPING of Penobscot.

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

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

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

13 2. If the member had fewer than 10 years of creditable service on July 1, 1993, the
14 benefit must be reduced by 6% for each year that the member's age precedes 55 years of
15 age.

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

19 1. Was employed by the Department of Corrections prior to January 1, 2000; and

20 2. Notwithstanding Title 5, section 17851-A, subsection 1, paragraph E, on the
21 effective date of this Act is employed in a position with the title of:

22 A. Director or chief of security;

23 B. Correctional captain or lieutenant;

24 C. Corrections unit manager;

25 D. Chief correctional industries manager or correctional industries manager;

26 E. Correctional building maintenance supervisor, correctional electrician supervisor or
27 correctional maintenance mechanic;

28 F. Chief corrections firearms instructor; or

29 G. Juvenile facilities operations supervisor or juvenile program manager.

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

32 **SUMMARY**

33 This bill requires that service retirement benefits for certain employees of the
34 Department of Corrections who are included in the 1998 Special Plan as of the effective
35 date of the bill and who were employed prior to January 1, 2000 be computed on the same
36 basis as benefits for other members under the plan are computed; creditable service is
37 included regardless of when that service was earned.