

HOUSE BILL No. 4912

May 12, 2009, Introduced by Rep. Smith and referred to the Committee on Labor.

A bill to amend 1943 PA 240, entitled
"State employees' retirement act,"
by amending section 45 (MCL 38.45), as amended by 2002 PA 743.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 45. As used in sections 45 to 47:

2 (a) "Covered position" means any of the following:

3 (i) On or after January 1, 1989, a position in the classified
4 civil service with a classification of corrections officer;
5 resident unit officer; corrections medical aide; corrections shift
6 supervisor; corrections security specialist; deputy prison warden;
7 or departmental administrator-prison warden.

8 (ii) On or after January 1, 1989, a position that is assigned
9 to a work station inside the security perimeter of a state

1 correctional facility designated as "medium", "close", or
2 "maximum".

3 (iii) On or after January 1, 1989, a position within a state
4 correctional facility that requires the employee to be in direct
5 contact with prisoners for more than 50% of the employee's work
6 time performing supervisory or disciplinary duties including 1 or
7 more of the following:

8 (A) Supervising prisoners in the performance of tasks.

9 (B) Supervising prisoners for the purpose of enforcing the
10 facility's rules.

11 (C) Direct participation in the disciplinary process.

12 (iv) On or after January 1, 1989, a position with the center
13 for forensic psychiatry that is classified by civil service as
14 forensics security aide IIB, forensics security aide IIIB,
15 forensics security supervisor IVB, forensics security supervisor
16 VB, forensics security supervisor VIB, or forensics supervisor VII,
17 **AND ON AND AFTER JANUARY 1, 2009, A POSITION WITH THE CENTER FOR**
18 **FORENSIC PSYCHIATRY THAT IS CLASSIFIED BY CIVIL SERVICE AS**
19 **REGISTERED NURSE MANAGER 13.**

20 (v) A position that was a covered position under this section
21 before January 1, 1989, that is excluded by subparagraphs (i), (ii),
22 (iii), and (iv), if and only as long as the person in the position on
23 January 1, 1989, continues in the position after January 1, 1989.

24 (b) "Supplemental member" means a member who is employed in a
25 covered position.

26 (c) "Covered service" means credited service acquired in a
27 covered position.

1 (d) "Supplemental final average compensation" means 1/3 of the
2 compensation paid a supplemental member during the period of 3
3 consecutive years of the member's covered service producing the
4 highest average and contained within the member's last 10 years of
5 credited service immediately preceding the date the member's
6 employment in a covered position last terminates.

7 (e) "State correctional facility" means a facility under the
8 jurisdiction of the department of corrections that has a
9 designation of "maximum", "close", "medium", "minimum", "prison
10 camp", or "correction center".