

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1995

Legislative Document

No. 1609

H.P. 1177

House of Representatives, December 8, 1995

**An Act to Provide a Retirement Benefit Option for Forest Rangers Equal
to That Option Available to Game Wardens and Marine Patrol Officers.**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Received by the Clerk of the House on December 6, 1995. Referred to the Committee on
Labor and ordered printed pursuant to Joint Rule 14.

A handwritten signature in black ink, reading "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CHASE of China.
Cosponsored by Representatives: HATCH of Skowhegan, JONES of Bar Harbor, LEMAIRE
of Lewiston, SAMSON of Jay, WINSOR of Norway.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Legislature has recently provided a new retirement option for game wardens, marine patrol officers and Baxter State Park Authority rangers and is now providing a similar option for forest rangers; and

Whereas, equitable treatment of forest rangers requires making this retirement option available immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §17711, as amended by PL 1987, c. 739, §§23 and 48, is repealed and the following enacted in its place:

§17711. Forest rangers

1. Before September 1, 1984. A forest ranger in the Department of Conservation, Bureau of Forestry who was first employed in that capacity before September 1, 1984, shall contribute to the retirement system or have pick-up contributions made by the employer as follows:

A. At a rate of 7.5% of earnable compensation until the forest ranger has met the requirements for eligibility for retirement under section 17851, subsection 8; and

B. After meeting the eligibility requirements for retirement, at a rate of 6.5% of earnable compensation for the remainder of the forest ranger's employment as a forest ranger.

2. After August 31, 1984; option. A forest ranger in the Department of Conservation, Bureau of Forestry who was first employed in that capacity after August 31, 1984 and who elects the retirement option provided in section 17851, subsection 8-A shall contribute to the retirement system or have pick-up contributions made by the employer as provided in section 17852, subsection 7-A.

Sec. 2. 5 MRSA §17851, sub-§8-A is enacted to read:

2 8-A. Forest rangers after August 31, 1984; option. A
3 forest ranger in the Department of Conservation who was first
4 employed in that capacity after August 31, 1984 qualifies for a
5 service retirement benefit upon reaching 55 years of age after
6 completing at least 25 years of creditable service in that
7 capacity if notice of election of the option and payment of
8 employee contributions and actuarial costs are made as provided
9 in section 17852, subsection 7-A.

10 Sec. 3. 5 MRSA §17852, sub-§7-A is enacted to read:

11 7-A. Forest rangers after August 31, 1984; option. The
12 retirement benefit of a person qualifying under section 17851,
13 subsection 8-A who retires upon or after reaching 55 years of age
14 is computed in accordance with subsection 1 if:

15 A. The person was first employed as a forest ranger in the
16 Department of Conservation on or after May 1, 1996 elects
17 the option provided in section 17851, subsection 8-A and
18 pays to the retirement system an increased employee payroll
19 contribution in an amount that equals the full actuarial
20 cost of electing that option; or

21 B. The person was first employed as a forest ranger in the
22 Department of Conservation before May 1, 1996, elects the
23 option provided in section 17851, subsection 8-A and pays to
24 the retirement system by single or periodic payment of a
25 lump sum or by a combination of single and periodic payments
26 the amount that equals the full actuarial cost of electing
27 that option for service before that date. A person who
28 requests calculation of the full actuarial cost, regardless
29 of whether the person elects the option, must pay to the
30 retirement system by single lump sum payment the reasonable
31 administrative costs of determining the full actuarial
32 costs. Payment of the full actuarial cost related to
33 service on or after May 1, 1996 is made as part of the
34 employee payroll contribution.

35 For the purpose of this subsection, "full actuarial cost" means
36 that the person's payment or payments must fully offset any
37 unfunded liability that would or does result from retirement
38 under the option provided in section 17851, subsection 8-A and
39 must fully fund the cost of the person's retirement prior to
40 normal retirement age so that an additional employer contribution
41 is not required.

42 A person who makes the election provided in section 17851,
43 subsection 8-A at any time after the date on which the person is
44 first employed as a forest ranger in the Department of
45 Conservation must include interest at a rate to be set by the
46 board not to exceed regular interest by 5 or more percentage

points, applied as of the date on which the person was first employed in that capacity to the contributions the person would have paid or had picked up by the employer had the person elected that option at the date of first employment.

This subsection is effective May 1, 1996. Election to retire under this subsection is a one-time irrevocable election. A person who was first employed as a forest ranger in the Department of Conservation on or after May 1, 1996 must make the election no later than 90 days after the date of first employment. A person who was first employed in that capacity before May 1, 1996 must make the election no later than November 1, 1996.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

This bill provides a retirement benefit option for forest rangers that is equal to the retirement benefit option available to game wardens, marine patrol officers and Baxter State Park Authority rangers. Under this option, a forest ranger may elect to retire upon reaching the age of 55 after completing at least 25 years of service in that capacity if the ranger has paid the full actuarial cost of the added benefit.