

MAINE STATE LEGISLATURE

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L.D. 1950

DATE: *March 30, 1998*

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STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "K" to COMMITTEE AMENDMENT "A" to H.P. 1397, L.D. 1950, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and Changes to Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999"

Amend the amendment by inserting after Part DDD the following:

PART EEE

Sec. EEE-1. 5 MRSA §1513, sub-§1-K is enacted to read:

1-K. Transfer from Maine Rainy Day Fund. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$2,835,204 must be transferred by the State Controller from the available balance in the Maine Rainy Day Fund to the unappropriated surplus of the General Fund no later than June 30, 1999.

Sec. EEE-2. 5 MRSA §17708, sub-§2, as amended by PL 1987, c. 739, §§20 and 48, is further amended to read:

2. Before September 16, 1984. A state police officer who was first employed by that department after July 9, 1943, but before September 16, 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 state police officer has completed 20 years of creditable service, as required under section 17851, subsection 4, paragraph A; and

2 B. After completing the service described in paragraph A,
4 at a rate of 6.5% of earnable compensation for the remainder
of employment as a state police officer.

6 **Sec. EEE-3. 5 MRSA §17708, sub-§3**, as enacted by PL 1985, c.
801, §§5 and 7, is amended to read:

8
10 **3. After September 15, 1984.** A state police officer who was
12 first employed by that department after ~~August-31~~ September 15,
1984, shall contribute to the retirement system as follows:

14 A. At a rate of 7.5% of earnable compensation until he the
16 state police officer has completed 25 years of creditable
service, as required under section 17851, subsection 4,
paragraph B; and

18 B. After completing the service described in paragraph A,
20 at a rate of 6.5% of earnable compensation for the remainder
of his employment as a state police officer.

22 **Sec. EEE-4. 5 MRSA §17851, sub-§4**, as enacted by PL 1985, c.
24 801, §§5 and 7, is amended to read:

26 **4. State police.** A state police officer qualifies for a
service retirement benefit if he that state police officer:

28 A. Became a state police officer after July 9, 1943, but
30 before September ~~1~~ 16, 1984, and retires after completing 20
32 years of creditable service as a state police officer, which
may include creditable service under section 17760,
subsection 1, but may not include creditable service under
section 17760, subsection 2; or

34 B. Became a state police officer after ~~August-31~~ September
36 15, 1984, and completed 25 years of creditable service as a
state police officer.

38
40 **Sec. EEE-5. Calculation of retirement benefits of Maine State Police**
42 **Sergeant David McPherson.** Notwithstanding any other provision of
law, the service retirement benefit of Maine State Police
44 Sergeant David McPherson, based on membership service performed
under either the retirement plan for forest rangers with
qualification requirements as provided under the Maine Revised
46 Statutes, Title 5, section 17851, subsection 8 or the retirement
plan for state police officers with qualification requirements as
48 provided in Title 5, section 17851, subsection 4, paragraph B,
must be calculated as if all service were performed under the
forest ranger retirement plan.

50

2 resulting from allowing one law enforcement
3 officer to retire under the provisions of a
4 special retirement plan with more favorable
5 retirement provisions. Also included are
6 the costs related to the increase in the
7 normal cost component of the employer
8 contribution rate.'

10 Further amend the amendment by relettering or renumbering
11 any nonconsecutive Part letter or section number to read
12 consecutively.

14 FISCAL NOTE

16 This amendment will have no net effect on General Fund
17 appropriations and revenue and a balanced budget is maintained
18 for fiscal year 1997-98 and fiscal year 1998-99.

20 This amendment will increase the Highway Fund cost of the
21 bill by \$22,806 in fiscal year 1998-99.

24 SUMMARY

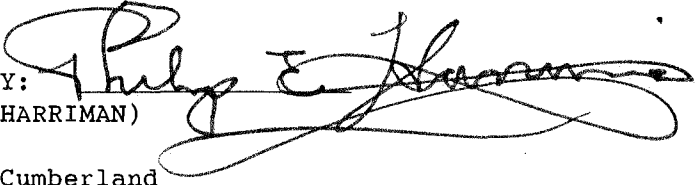
26 Under current law, state employees, including state police
27 officers, hired after August 31, 1984 are eligible for retirement
28 benefits upon the completion of 25 years of creditable service
29 and attainment of 55 years of age. State employees hired before
30 September 1, 1984 are eligible for retirement benefits upon the
31 completion of 20 years of creditable service, with no age
32 restrictions.

34 This amendment changes the cutoff date for eligibility of
35 retirement benefits after 20 years of creditable service for
36 state police officers to September 16, 1984. The purpose of this
37 amendment is to give members of the Maine State Police 38th
38 Training Troop the same benefits that were available when
39 applications were being accepted for that class. Members of the
40 38th Training Troop were well through the application process but
41 were not officially hired until September 3, 1984, 2 days after
42 the law imposing the new 25 years of service and 55 years of age
43 requirement took effect.

44 This amendment also provides that the Maine State Retirement
45 System retirement benefit of Maine State Police Chief David
46 McPherson must be calculated under the requirements of the
47 so-called "25/50 special retirement plan" that Sergeant McPherson
48 was covered by when he began law enforcement service as a forest
49 ranger.

SENATE AMENDMENT "K" to COMMITTEE AMENDMENT "A" to H.P. 1397,
L.D. 1950

This amendment transfers the funding necessary for this
amendment from the Maine Rainy Day Fund.

SPONSORED BY: 
(Senator HARRIMAN)

COUNTY: Cumberland