

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 2135

H.P. 1513

House of Representatives, January 20, 1998

**An Act to Restore Retirement Benefits for Law Enforcement and
Correctional Personnel.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule
203.

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SKOGLUND of St. George.
Cosponsored by Senator PINGREE of Knox and
Representatives: BOLDUC of Auburn, CHARTRAND of Rockland, HATCH of Skowhegan,
SAMSON of Jay, SAVAGE of Union, SAXL of Portland, VOLENIK of Brooklin.

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

2
3 **Sec. 1. 5 MRSA §17851, sub-§§4 and 5**, as enacted by PL 1985, c.
4 801, §§5 and 7, are repealed and the following enacted in their
5 place:

6 4. State police. A state police officer qualifies for a
7 service retirement benefit if the state police officer:

8
9 A. Completes 20 years of creditable service as a state
10 police officer, which may include creditable service under
11 section 17760, subsection 1 but may not include creditable
12 service under section 17760, subsection 2; and

13 B. Retires upon or after reaching 50 years of age.

14
15 5. Inland fisheries and wildlife officers. A law
16 enforcement officer in the Department of Inland Fisheries and
17 Wildlife qualifies for a service retirement benefit if the
18 officer:

19
20 A. Completes 20 years of creditable service in that
21 capacity, which may include creditable service under section
22 17760, subsection 1 but may not include creditable service
23 under section 17760, subsection 2; and

24 B. Retires upon or after reaching 50 years of age.

25
26 **Sec. 2. 5 MRSA §17851, sub-§5-A**, as amended by PL 1995, c.
27 624, §2, is repealed.

28
29 **Sec. 3. 5 MRSA §17851, sub-§6**, as enacted by PL 1985, c. 801,
30 §§5 and 7, is repealed and the following enacted in its place:

31
32 6. Marine resources officers. A law enforcement officer in
33 the Department of Marine Resources qualifies for a service
34 retirement benefit if the officer:

35
36 A. Completes 20 years of creditable service in that
37 capacity, which may include creditable service under section
38 17760, subsection 1 but may not include creditable service
39 under section 17760, subsection 2; and

40 B. Retires upon or after reaching 50 years of age.

41
42 **Sec. 4. 5 MRSA §17851, sub-§6-A**, as amended by PL 1995, c.
43 624, §3, is repealed.

44
45 **Sec. 5. 5 MRSA §17851, sub-§11**, as amended by PL 1991, c. 857,
46 §2, is repealed and the following enacted in its place:

2 11. Maine correctional system facility employees. An
 4 employee of a Maine correctional system facility who has contact
 6 with prisoners or juveniles detained in those facilities
 8 qualifies for a service retirement benefit if that person:

 A. Completes 20 years of creditable service in one or more
 of those capacities; and

 B. Retires upon or after reaching 50 years of age.

12 Notwithstanding any other provision in this section, a person in
 14 the employ of the Bangor Pre-release Center on August 4, 1988 who
 16 would have qualified for a service retirement benefit if the
 18 Bangor Pre-release Center had remained the administrative
 responsibility of the Maine State Prison may not be denied such a
 benefit by virtue of the transfer of that responsibility to the
 Charleston Correctional Facility.

20 **SUMMARY**

22 Current law specifies that most members of the Maine State
 24 Retirement System qualify for retirement benefits after 25 years
 26 of creditable service. State police officers and Maine State
 28 Prison employees who were employed as such prior to September 1,
 1984 qualify for retirement benefits after 20 years of creditable
 service and upon reaching 50 years of age. State police officers
 and Maine State Prison employees who began service on or after
 30 September 1, 1984 are subject to the general threshold of 25
 years of creditable service.

32 This bill restores the lower threshold of 20 years of
 34 creditible service and 50 years of age to state police officers
 and certain Maine correctional facilities employees and applies
 36 that lower threshold to inland fisheries and wildlife officers
 and marine resources officers.