

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1165

S.P. 386

In Senate, February 9, 1999

**An Act Regarding the Retirement Plan for Rangers in the Law
Enforcement Bargaining Unit at Baxter State Park.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MICHAUD of Penobscot.
Cosponsored by Representative STANLEY of Medway and
Representatives: CLARK of Millinocket, MARTIN of Eagle Lake.

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

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4 Sec. 1. 5 MRSA §17851, sub-§12-A is enacted to read:

6 12-A. Baxter State Park Authority rangers; additional
8 option. A law enforcement officer in the employment of the
10 Baxter State Park Authority qualifies for a service retirement
12 benefit upon reaching 50 years of age after completing at least
14 25 years of creditable service in that capacity if notice of
16 election of the option and payment of employee contributions and
18 actuarial costs are made as provided in section 17852, subsection
20 11.

22 Sec. 2. 5 MRSA §17852, sub-§11, as amended by PL 1995, c. 624,
24 §11, is further amended to read:

26 11. Baxter State Park Authority rangers; option. The
28 retirement benefit of a person who qualifies under section 17851,
30 subsection 12 or 12-A and who retires upon or after reaching 55
32 years of age under the option provided in section 17851,
34 subsection 12 or 50 years of age under the option provided in
36 section 17851, subsection 12-A is computed in accordance with
38 subsection 1 if:

40 A. The person was first employed as a law enforcement
42 officer at the Baxter State Park Authority on or after
44 November 1, 1995, elects the option provided in section
46 17851, subsection 12 or 12-A and pays to the retirement
system an increased employee payroll contribution in an
amount that equals the full actuarial cost of electing that
option; or

34 B. The person was first employed as a law enforcement
36 officer at the Baxter State Park Authority before November
38 1, 1995, elects the option provided in section 17851,
40 subsection 12 or 12-A and pays to the retirement system
42 single or periodic payment of a lump sum or by a combination
44 of single and periodic payments of the amount that equals
46 the full actuarial cost of electing that option for service
before that date. A person who requests calculation of the
full actuarial cost, regardless of whether the person elects
the option, must pay to the retirement system by single lump
sum payment the reasonable administrative costs of
determining the full actuarial costs. Payment of the full
actuarial cost related to service on or after November 1,
1995 is made as part of the employee payroll contribution.

48 For the purposes of this subsection, "full actuarial cost" means
50 that the person's payment or payments must fully offset any
52 unfunded liability that would or does result from retirement
under the option provided in section 17851, subsection 12 or 12-A
and must fully fund the cost of the person's retirement prior to

2 normal retirement age so that an additional employer contribution
is not required.

4 A person who makes the election provided in section 17851,
6 subsection 12 or 12-A at any time after the date on which the
8 person is first employed as a law enforcement officer at the
10 Baxter State Park Authority must include interest at a rate to be
12 set by the 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.

14 This subsection is effective November 1, 1995. Election Except
16 as otherwise provided in this subsection, election to retire
under this subsection is a one-time irrevocable election. --A-
18 With regard to an election of the option provided under section
17851, subsection 12, a person who was first employed as a law
20 enforcement officer at the Baxter State Park Authority on or
after November 1, 1995 must make the election no later than 90
22 days after the date of first employment. --A- With regard to an
24 election of the option provided under section 17851, subsection
12 a person who was first employed in that capacity before
26 November 1, 1995 must make the election no later than January 1,
1997. A person who was first employed as a law enforcement
28 officer at the Baxter State Park Authority on or after November
1, 1999 must make the election under this subsection no later
30 than 90 days after the date of first employment. A person who
32 was first employed in that capacity before November 1, 1999 and
who wishes to change the election made to an election of the
option provided under section 17851, subsection 12-A must make
that election no later than January 1, 2001.

34 **Sec. 3. 5 MRSA §17852, sub-§12, as enacted by PL 1995, c. 624,**
36 **§12, is amended to read:**

38 **12. Baxter State Park Authority rangers exercising options;**
retirement before 55 or 50 years of age. For a person exercising
40 the option provided in section 17851, subsection 12 or 12-A, who
makes the payments required in subsection 11, and who retires
42 before reaching 55 years of age or 50 years of age, as
applicable, the retirement benefit is determined as follows.

44 A. For members with 10 years of creditable service on July
46 1, 1993, the retirement benefit is determined in accordance
with subsection 1, except that:

48 (1) The amount arrived at under subsection 1 is
50 reduced by applying to that amount the percentage that
52 a life annuity due at 55 years of age or 50 years of
age, as applicable, bears to the life annuity due at
the age of retirement; and

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(2) For the purpose of making the computation under subparagraph (1), the board-approved tables of annuities in effect at the date of the member's retirement are used.

For the purpose of calculating creditable service under this subsection only, "creditable service" includes time during which a member participated in the voluntary cost-savings plan or the voluntary employee incentive program, authorized by Public Law 1989, chapter 702, Part F, section 6 and Public Law 1991, chapter 591, Part BB and chapter 780, Part VV; or 10 years of combined creditable service under this Part and Title 3, chapter 29; or creditable service available to a member that the member was eligible to purchase on June 30, 1993 and that the member does purchase in accordance with rules adopted by the board.

B. For members who do not have 10 years of creditable service on July 1, 1993, the retirement benefit is determined in accordance with subsection 1, except that the benefit is reduced by 6% for each year that the person's age precedes 55 years of age or 50 years of age, as applicable.

Sec. 4. Retroactivity. This Act applies retroactively to November 1, 1995.

SUMMARY

This bill permits law enforcement officers employed by the Baxter State Park Authority to opt to retire at age 50 after 25 years of service and retains the current option to choose, instead, to retire at age 55 after 25 years of service.