

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

---

Legislative Document

No. 998

S.P. 315

March 2, 2007

**An Act To Further Facilitate the Regionalization of Emergency  
Communications Dispatching Services**

(EMERGENCY)

---

Submitted by the Department of Public Safety pursuant to Joint Rule 204.  
Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.

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

3       **Whereas,** the consolidation of local public safety communications dispatching  
4 services with the Department of Public Safety is and will be occurring; and

5       **Whereas,** the continuity of operations of public safety communications dispatching  
6 services during the consolidation is critical to ensuring public safety; and

7       **Whereas,** the transition in employment of emergency communications dispatchers  
8 from local public safety communications services agencies to the Department of Public  
9 Safety would be facilitated by permitting such dispatchers' retirement benefits to be  
10 transferred as part of the transition of employment process; and

11       **Whereas,** such a facilitated transition would better ensure the continuity of  
12 operations of public safety communications dispatching services, which is in the public  
13 interest; and

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

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

19       **Sec. 1. 5 MRSA §17656, sub-§2,** as enacted by PL 2005, c. 668, §1, is amended  
20 to read:

21       **2. Reemployment of public safety communications dispatchers with Department**  
22 **of Public Safety.** Notwithstanding subsection 1, a member of the retirement system  
23 whose previous membership was based upon employment as a public safety  
24 communications dispatcher with a participating local district and whose employment with  
25 the participating local district was terminated as a result of the consolidation of the  
26 participating local district's public safety dispatching services with the Department of  
27 Public Safety and who then becomes employed as a public safety communications  
28 dispatcher or emergency communications technician for the department may elect to  
29 include that previously earned creditable service with service earned as a state employee  
30 if that member:

31       A. Makes a one-time, irrevocable election no later than 30 days after commencing  
32 employment as a public safety communications dispatcher or emergency  
33 communications technician for the Department of Public Safety; and

34       B. Has not previously withdrawn all of the member's accumulated contributions.

35       If a member makes the election provided in this subsection, the State shall make whatever  
36 contribution is necessary to provide the benefits under the retirement system for the  
37 member as though the previous employment had been as a state employee, and all funds  
38 in the retirement system contributed by the member's former employer on account of the

1 member's previous employment must be transferred to the account of the State and must  
2 be used to liquidate the liability incurred by reason of the previous employment.

3 Upon notification by the Department of Public Safety to the retirement system that an  
4 employee has made an election under this subsection, the retirement system shall  
5 calculate and provide to the Department of Public Safety the amount of the employer  
6 contribution required under this subsection.

7 A member who makes the election provided in this subsection and for whom applicable  
8 additional employer contributions have been paid is entitled to include the creditable  
9 service and earnable compensation with the previous employer with the creditable service  
10 and earnable compensation with the State for the purposes of benefit qualification under  
11 section 17851 and computation of benefits under section 17852.

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

14

### SUMMARY

15 The bill provides that a member of the Maine State Retirement System whose  
16 previous membership was based upon employment as a public safety emergency  
17 communications dispatcher with a participating local district and whose employment with  
18 the participating local district was terminated as a result of the consolidation of the  
19 participating local district's public safety dispatching services with the Department of  
20 Public Safety and who then becomes employed as a public safety emergency  
21 communications technician for the department may elect to include that previously  
22 earned creditable service with service earned as a state employee under certain  
23 conditions.