

MAINE STATE LEGISLATURE

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Majority

Date: 3/4/14

(Filing No. S-413)

APPROPRIATIONS AND FINANCIAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

126TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "~~A~~" to S.P. 412, L.D. 1175, Bill, "An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'PART A'

Amend the bill by striking out all of sections 3 and 4 and inserting the following:

'Sec. 3. 5 MRSA §17851-A, sub-§4, ¶B, as repealed and replaced by PL 2003, c. 510, Pt. D, §4 and affected by §§6 and 7, is amended to read:

B. Except as provided in paragraphs D ~~and~~ E ~~and~~ F, if some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; and before July 1, 2002 for employees identified in subsection 1, paragraph M and some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for employees identified in subsection 1, paragraph M, then the member's service retirement benefit must be computed in segments and the amount of the member's service retirement benefit is the sum of the segments. The segments must be computed as follows:

- (1) The segment or, if the member served in more than one of the capacities specified in subsection 1 and the benefits related to the capacities are not interchangeable under section 17856, segments that reflect creditable service

COMMITTEE AMENDMENT

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earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; and before July 1, 2002 for employees identified in subsection 1, paragraph M or purchased by repayment of an earlier refund of accumulated contributions for service before July 1, 1998, for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; and before July 1, 2002 for employees identified in subsection 1, paragraph M in a capacity or capacities specified in subsection 1 or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; and before July 1, 2002 for employees identified in subsection 1, paragraph M, must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

(a) Had 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3, paragraphs A and B; or

(b) Had fewer than 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3-A; and

(2) The segment that reflects creditable service earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for employees identified in subsection 1, paragraph M or purchased by repayment of an earlier refund of accumulated contributions for service after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for employees identified in subsection 1, paragraph M in any one or a combination of the capacities specified in subsection 1, or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for

COMMITTEE AMENDMENT

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employees identified in subsection 1, paragraph M must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

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(a) Had 10 years of creditable service on July 1, 1993, the segment amount must be reduced in the manner provided in section 17852, subsection 3, paragraphs A and B for each year that the member's age precedes 55 years of age; or

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(b) Had fewer than 10 years of creditable service on July 1, 1993, the segment amount must be reduced by 6% for each year that the member's age precedes 55 years of age.

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

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F. The service retirement benefit of a member who is in the employment of the Department of Public Safety, Bureau of Capitol Police as a Capitol Police officer on the effective date of this paragraph and to whom subsection 1, paragraph M applies and who qualifies for service retirement benefits under subsection 2 must be computed under section 17852, subsection 1, paragraph A on the basis of all of the member's creditable service in the capacity specified in subsection 1, paragraph M, regardless of when that creditable service was earned, except that for a member qualifying under subsection 2, paragraph B:

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(1) If the member had 10 years of service on July 1, 1993, the benefit must be reduced as provided in section 17852, subsection 3, paragraphs A and B for each year the member's age precedes 55 years of age; or

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(2) If the member had fewer than 10 years of creditable service on July 1, 1993, the benefit must be reduced by 6% for each year that the member's age precedes 55 years of age.

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Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

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RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

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Retirement System - Retirement Allowance Fund 0085

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Initiative: Provides funds for the cost associated with allowing service retirement benefits of a Capitol Police officer earned under the regular state employee teacher plan to be calculated under the 1998 Special Plan.

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GENERAL FUND	2013-14	2014-15
All Other	\$0	\$63,847
GENERAL FUND TOTAL	\$0	\$63,847

1 creditable service in a capacity set forth in Title 5, section 17851-A, subsection 1,
2 regardless of when that service was earned; and calculate the cost to the State of
3 implementing such a change. The executive director is required to report the results of
4 the analysis to the joint standing committee of the Legislature having jurisdiction over
5 retirement matters.

6 **FISCAL NOTE REQUIRED**

7 **(See attached)**



126th MAINE LEGISLATURE

LD 1175

LR 902(02)

An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-413)

Committee: Appropriations and Financial Affairs

Fiscal Note Required: Yes

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	\$0	\$63,847	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$63,847	\$0	\$0

Fiscal Detail and Notes

This bill includes a one-time General Fund appropriation of \$63,847 to the Retirement Allowance fund within the Maine Public Employees Retirement System in fiscal year 2014-15 for the cost associated with allowing the service retirement benefits of one Capitol Police officer earned under the regular state employee and teacher plan to be calculated under the 1998 Special Plan. The cost of this provision is estimated based on the payment being made to the MainePERS by July 30, 2014. If the payment is made at a later date, the cost will be higher.

Additional costs to the Maine Public Employees Retirement System to conduct the required analysis and submit the required report can be absorbed within existing budgeted resources.