

# MAINE STATE LEGISLATURE

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Majority

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**APPROPRIATIONS AND FINANCIAL AFFAIRS**

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**STATE OF MAINE**

**SENATE**

**128TH LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 610, L.D. 1653, Bill, "An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers"

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'Sec. 3. 5 MRSA §17851-A, sub-§4, ¶B, as repealed and replaced by PL 2003, c. 510, Pt.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 E, 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 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

**COMMITTEE AMENDMENT**

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

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

18 (b) Had fewer than 10 years of creditable service on July 1, 1993, the  
19 amount of the segment or segments must be reduced as provided in section  
20 17852, subsection 3-A; and

21 (2) The segment that reflects creditable service earned after June 30, 1998 and  
22 before September 1, 2002 for employees identified in subsection 1, paragraphs A  
23 and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C  
24 to H; after December 31, 1999 for employees identified in subsection 1,  
25 paragraphs I to K; after December 31, 2001 for employees identified in  
26 subsection 1, paragraph L; and after June 30, 2002 for employees identified in  
27 subsection 1, paragraph M or purchased by repayment of an earlier refund of  
28 accumulated contributions for service after June 30, 1998 and before September  
29 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June  
30 30, 1998 for employees identified in subsection 1, paragraphs C to H; after  
31 December 31, 1999 for employees identified in subsection 1, paragraphs I to K;  
32 after December 31, 2001 for employees identified in subsection 1, paragraph L;  
33 and after June 30, 2002 for employees identified in subsection 1, paragraph M in  
34 any one or a combination of the capacities specified in subsection 1, or purchased  
35 by other than the repayment of a refund and eligibility to make the purchase of  
36 the service credit, including, but not limited to, service credit for military service,  
37 was achieved after June 30, 1998 and before September 1, 2002 for employees  
38 identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees  
39 identified in subsection 1, paragraphs C to H; after December 31, 1999 for  
40 employees identified in subsection 1, paragraphs I to K; after December 31, 2001  
41 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for  
42 employees identified in subsection 1, paragraph M must be computed under  
43 section 17852, subsection 1, paragraph A. If the member is qualified under  
44 subsection 2, paragraph B and:

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

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

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

9 F. The service retirement benefit of a member to whom subsection 1, paragraph M  
10 applies and who qualifies for service retirement benefits under subsection 2 must be  
11 computed under section 17852, subsection 1, paragraph A on the basis of all of the  
12 member's creditable service in the capacity specified in subsection 1, paragraph M,  
13 regardless of when that creditable service was earned, except that for a member  
14 qualifying under subsection 2, paragraph B:

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

18 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,  
19 the benefit must be reduced by 6% for each year that the member's age precedes  
20 55 years of age.

21 **Sec. 5. Application.** Notwithstanding the Maine Revised Statutes, Title 5, section  
22 17851-A, subsection 1, paragraph M, that section of this Act that enacts Title 5, section  
23 17851-A, subsection 4, paragraph F applies only to those Capitol Police officers in the  
24 employment of the Department of Public Safety, Bureau of Capitol Police as of the  
25 effective date of this Act.

26 **Sec. 6. Appropriations and allocations.** The following appropriations and  
27 allocations are made.

28 **RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**

29 **Retirement System - Retirement Allowance Fund 0085**

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

|    |                           |                |                 |
|----|---------------------------|----------------|-----------------|
| 33 | <b>GENERAL FUND</b>       | <b>2017-18</b> | <b>2018-19</b>  |
| 34 | All Other                 | \$0            | \$40,610        |
| 35 |                           |                |                 |
| 36 | <b>GENERAL FUND TOTAL</b> | <u>\$0</u>     | <u>\$40,610</u> |
| 37 |                           |                |                 |

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**SUMMARY**

This amendment makes technical drafting changes to the bill. It also makes clear that the provisions of the bill apply only to those Capitol Police officers employed in that capacity as of the effective date of the legislation.

The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

**(See attached)**



# 128th MAINE LEGISLATURE

LD 1653

LR 2636(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-36de)  
 Committee: Appropriations and Financial Affairs  
 Fiscal Note Required: Yes

### Fiscal Note

|                                   | FY 2017-18 | FY 2018-19 | Projections<br>FY 2019-20 | Projections<br>FY 2020-21 |
|-----------------------------------|------------|------------|---------------------------|---------------------------|
| <b>Net Cost (Savings)</b>         |            |            |                           |                           |
| General Fund                      | \$0        | \$40,610   | \$0                       | \$0                       |
| <b>Appropriations/Allocations</b> |            |            |                           |                           |
| General Fund                      | \$0        | \$40,610   | \$0                       | \$0                       |

#### Fiscal Detail and Notes

This bill includes a one-time General Fund appropriation of \$40,610 in fiscal year 2018-19 to the Retirement System - Retirement Allowance Fund 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 September 30, 2018.