

MAINE STATE LEGISLATURE

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BWA
R. O. H. S.

L.D. 1400

Date: 6/5/19

(Filing No. H- 495)

LABOR AND HOUSING

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1015, L.D. 1400, Bill, "An Act To Improve Recruitment and Retention in State Law Enforcement by Offering Retirement Service Credit and To Improve Retirement Benefits for Veterans of the Cold War"

Amend the bill by striking out the title and substituting the following:

'An Act To Improve Recruitment and Retention in State Law Enforcement by Offering Retirement Service Credit'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §17767 is enacted to read:

§17767. Law enforcement service

Service credit for service in law enforcement is governed as follows.

1. Service before becoming member. A member who served as a full-time law enforcement officer with a federal, state, county or local law enforcement agency before becoming a member is entitled under this subsection to purchase service credit for the period of time that the member served as a law enforcement officer if the member has at least 15 years of creditable service at the time of retirement by complying with the terms and conditions of this subsection and the applicable provisions of subsection 2. Service credit purchased under this section is limited to 4 years. Notwithstanding anything to the contrary, a member for which service credit under this section is to be granted must provide a certified statement from the appropriate retirement system that the service credit to be granted has not been and will not be used to obtain other retirement benefits.

2. Members qualified for credit at actuarial cost. A member qualified under subsection 1 to purchase service credit at the cost set forth in this subsection is entitled to service credit if the member pays an amount that, together with regular interest on that amount, is the actuarial equivalent, at the effective date of the retirement benefit, of the portion of the retirement benefit based on the additional creditable service.

COMMITTEE AMENDMENT

1 A. Payment must be made before any retirement benefit becomes effective for that
2 member.

3 B. Payment may be made to the retirement system by a single direct payment or by
4 annual direct payments in accordance with section 17701, subsection 4.

5 **Sec. 2. 5 MRSA §17851-A, sub-§3, ¶B**, as enacted by PL 1997, c. 769, §11, is
6 amended to read:

7 B. For the purpose of meeting the qualification requirement of subsection 2,
8 paragraph B:

9 (1) Service credit purchased by repayment of an earlier refund of accumulated
10 contributions following termination of service is included if the time to which the
11 refund relates was served in any one or a combination of the capacities specified
12 in subsection 1, regardless of whether the time was served before or after the
13 establishment of the 1998 Special Plan; and

14 (2) Service credit purchased other than as provided under subparagraph (1) is not
15 included, except that service credit purchased for military service or for law
16 enforcement service pursuant to section 17767 is included.

17 **Sec. 3. 5 MRSA §18363** is enacted to read:

18 **§18363. Law enforcement service**

19 Service credit for service in law enforcement is governed as follows.

20 **1. Service before becoming member.** A member who served as a full-time law
21 enforcement officer with a federal, state, county or local law enforcement agency before
22 becoming a member is entitled under this subsection to purchase service credit for the
23 period of time that the member served as a law enforcement officer if the member has at
24 least 15 years of creditable service at the time of retirement by complying with the terms
25 and conditions of this subsection and the applicable provisions of subsection 2. Service
26 credit purchased under this section is limited to 4 years. Notwithstanding anything to the
27 contrary, a member for which service credit under this section is to be granted must
28 provide a certified statement from the appropriate retirement system that the service
29 credit to be granted has not been and will not be used to obtain other retirement benefits.

30 **2. Members qualified for credit at actuarial cost.** A member qualified under
31 subsection 1 to purchase service credit at the cost set forth in this subsection is entitled to
32 service credit if the member pays an amount that, together with regular interest on that
33 amount, is the actuarial equivalent, at the effective date of the retirement benefit, of the
34 portion of the retirement benefit based on the additional creditable service.

35 A. Payment must be made before any retirement benefit becomes effective for that
36 member.

37 B. Payment may be made to the retirement system by a single direct payment or by
38 annual direct payments in accordance with section 17701, subsection 4.'

39 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
40 section number to read consecutively.

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SUMMARY

This amendment replaces the bill. It allows a member of the State Employee and Teacher Retirement Program or the Participating Local District Retirement Program to purchase up to 4 years of service credit for time served as a full-time law enforcement officer prior to membership at full actuarial cost if the member has at least 15 years of creditable service at the time of retirement. The amendment also requires that the member certify that the service credit to be purchased has not and will not be used to obtain other retirement benefits. The amendment also clarifies that the purchase of service credit for time served as a full-time law enforcement officer may be applied to the requirement for creditable service of 25 years under the 1998 Special Plan.

FISCAL NOTE REQUIRED
(See attached)



129th MAINE LEGISLATURE

LD 1400

LR 1149(02)

An Act To Improve Recruitment and Retention in State Law Enforcement by Offering Retirement Service Credit and To Improve Retirement Benefits for Veterans of the Cold War

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-495)

Committee: Labor and Housing

Fiscal Note Required: Yes

Fiscal Note

No state fiscal impact - Cost borne by member

Fiscal Detail and Notes

Allowing a member of the State Employee and Teacher Retirement Program or the Participating Local District Retirement Program to purchase up to 4 years on service credit for time served as a full-time law enforcement officer prior to membership at the full actuarial cost if the member meets certain conditions will not increase costs to the State or participating local districts. The cost will be borne fully by the member.