

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 711

S.P. 276

In Senate, March 5, 2021

**An Act To Allow Certain Police Officers To Return to Participation
in the Maine Public Employees Retirement System**

Received by the Secretary of the Senate on March 3, 2021. Referred to the Committee on Labor and Housing pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.
Cosponsored by Representative DUNPHY of Old Town and
Senators: BAILEY of York, DESCHAMBAULT of York, DILL of Penobscot,
Representatives: CARDONE of Bangor, COSTAIN of Plymouth, O'CONNELL of Brewer.

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

2 **Sec. 1. Police officer eligible to return to Participating Local District**
3 **Retirement Program.** Notwithstanding the Maine Revised Statutes, Title 5, section
4 18252-A, subsection 1 or any other provision of law to the contrary, a police officer who
5 was a member of the Participating Local District Retirement Program and who, pursuant
6 to section 18252-A, subsection 1, did not elect to remain a member of that program and is
7 covered under a plan provided by the employer under Title 5, section 18252-B may elect
8 to become a member of the Participating Local District Retirement Program under the
9 following conditions:

10 1. The police officer must elect to return to the Participating Local District Retirement
11 Program before January 1, 2022;

12 2. The police officer must, in accordance with Title 5, section 18358, purchase service
13 credit for the period during which the police officer elected not to be a member of the
14 Participating Local District Retirement Program or for the police officer's total years of
15 service if the police officer so chooses at the time of the election; and

16 3. The police officer must, in accordance with Title 5, section 18304, repay
17 contributions withdrawn unless doing so would require the employer, without the
18 employer's agreement, to make an employer contribution to both the Participating Local
19 District Retirement Program and the plan provided by the employer under Title 5, section
20 18252-B.

21 A police officer who becomes a member of the Participating Local District Retirement
22 Program under this Act and who terminates service, except by death or by retirement, may,
23 at that member's discretion, withdraw accumulated contributions in accordance with Title
24 5, section 18306-A but may not thereafter become a member of that program while
25 employed by the same employer.

26 **SUMMARY**

27 Current law states that a member of the Participating Local District Retirement
28 Program on the date on which an employer offers an alternative retirement program may
29 make a one-time irrevocable election to remain under that program or to join the alternative
30 retirement plan offered by the employer. This bill allows police officers to make a one-time
31 election to rejoin the Participating Local District Retirement Program under certain
32 conditions.