

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1753

S.P. 613

In Senate, December 2, 2021

**An Act Regarding the Retirement of Law Enforcement Officers
under the Participating Local District Retirement Program**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on November 30, 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 DAVIS of Piscataquis.

Cosponsored by Senators: BLACK of Franklin, CYRWAY of Kennebec.

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

2 **Sec. 1. 5 MRSA §18453, sub-§6**, as enacted by PL 1985, c. 801, §§5 and 7, is
3 amended to read:

4 **6. Police Officer Special Plan #1.** A retirement benefit equal to 1/2 of ~~his~~ the average
5 final compensation to a police officer, including the chief of a police department, who has
6 completed at least 25 years of creditable service in that capacity and who retires ~~upon or~~
7 ~~after reaching age 55 at any age.~~

8 **Sec. 2. 5 MRSA §18453, sub-§7**, as amended by PL 1993, c. 387, Pt. A, §24, is
9 further amended to read:

10 **7. Police Officer Special Plan #2.** A retirement benefit to a police officer, including
11 the chief of a police department, who has completed at least 25 years of creditable service
12 in that capacity and who retires ~~upon or after reaching age 55 at any age.~~ The ~~benefits shall~~
13 ~~be~~ benefit is computed as follows:

14 A. Except as provided under paragraph B, 2/3 of ~~his~~ the average final compensation;
15 or

16 B. If the member's benefit would be greater, the part of the service retirement benefit
17 based upon membership service before July 1, 1977, is determined, on a pro rata basis,
18 on the member's current final compensation and the part of the service retirement
19 benefit based upon membership service after June 30, 1977, is determined in
20 accordance with paragraph A.

21 **Sec. 3. 5 MRSA §18453, sub-§9**, as amended by PL 2001, c. 368, §3, is further
22 amended to read:

23 **9. Sheriff, Deputy Sheriff deputy sheriff and other county corrections employee**
24 **special plan.** A retirement benefit equal to 1/2 of the average final compensation to a
25 sheriff, deputy sheriff or county corrections employee who has completed at least 25 years
26 of creditable service in that capacity and who retires ~~upon or after reaching age 55 at any~~
27 ~~age.~~ For the purposes of this subsection, "county corrections employee" means an
28 employee of a county who is employed at a county jail and whose duties include contact
29 with prisoners or juvenile detainees.

30 **SUMMARY**

31 This bill changes special plans under the Participating Local District Retirement
32 Program so that law enforcement officers may retire after 25 years of creditable service
33 regardless of age, instead of after reaching 55 years of age as in current law.