

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 197

H.P. 121

House of Representatives, January 17, 2023

**An Act to Address Employee Retention at the Maine State Police
Crime Laboratory and the Computer Crimes Unit in the
Department of Public Safety**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.
Cosponsored by President JACKSON of Aroostook and
Representatives: DANA of the Passamaquoddy Tribe, FAULKINGHAM of Winter Harbor,
Speaker TALBOT ROSS of Portland, Senators: HARRINGTON of York, HICKMAN of
Kennebec.

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

2 **Sec. 1. 5 MRSA §17851-A, sub-§1, ¶Q**, as enacted by PL 2021, c. 474, §5, is
3 amended to read:

4 Q. Civilian Until July 31, 2024, civilian employees whose job responsibilities include
5 the handling, examination or analysis of digital or physical evidence in the employment
6 of the Department of Public Safety, Maine State Police Crime Laboratory or computer
7 crimes unit on October 1, 2021 ~~who elect to participate in the 1998 Special Plan~~ or
8 hired thereafter.

9 **Sec. 2. 5 MRSA §17851-C** is enacted to read:

10 **§17851-C. Special plan for civilian employees in Department of Public Safety, Maine**
11 **State Police Crime Laboratory or computer crimes unit**

12 **1. Establishment and applicability.** Effective August 1, 2024, there is established a
13 special retirement plan for civilian employees in the Department of Public Safety, Maine
14 State Police Crime Laboratory or computer crimes unit, referred to in this section as "the
15 special plan." The special plan applies to civilian employees whose job responsibilities
16 include the handling, examination or analysis of digital or physical evidence in the
17 employment of the Department of Public Safety, Maine State Police Crime Laboratory or
18 computer crimes unit.

19 **2. Qualification for benefits.** A member employed in any of the positions described
20 in subsection 1 qualifies for a service retirement benefit after completing 25 years of
21 creditable service in that capacity, whether or not the creditable service included in
22 determining that the 25-year requirement has been met was earned under the special plan
23 established in this section or prior to its establishment.

24 **3. Purchase of service credit to be used for qualification for benefits.** This
25 subsection governs the use of purchased service credit in order to qualify for benefits under
26 this section. For the purpose of meeting the qualification requirement of subsection 2:

27 A. Service credit purchased by repayment of an earlier refund of accumulated
28 contributions following termination of service is included if the time to which the
29 refund relates was served in any one or a combination of the positions described in
30 subsection 1, regardless of whether the time was served before or after the
31 establishment of the special plan;

32 B. Service credit purchased under section 17760 is considered service under the special
33 plan; and

34 C. Service credit purchased other than as provided under paragraphs A and B is not
35 included.

36 **4. Computation of benefits.** The amount of the service retirement benefit for
37 members qualified under subsection 2 is 1/2 of the member's average final compensation
38 and an additional 2% of the member's average final compensation for each year of
39 membership service not included in determining qualification under subsection 2.

40 **5. Contributions.** Notwithstanding any other provision of subchapter 3, after July 31,
41 2024, a member in a position described in subsection 1 shall contribute to the State
42 Employee and Teacher Retirement Program or have pick-up contributions made at the rate

1 of 8.65% of earnable compensation until the member has completed 25 years of creditable
2 service as provided in this section and at the rate of 7.65% thereafter.

3

SUMMARY

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This bill establishes a new special retirement plan for certain civilian employees in the
5 Department of Public Safety, Maine State Police Crime Laboratory and computer crimes
6 unit that allows those employees to retire after 25 years of service regardless of age.