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An Act To Further Facilitate the Regionalization of Emergency Communications Dispatching Services

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the consolidation of local public safety communications dispatching services with the Department of Public Safety is and will be occurring; and

Whereas, the continuity of operations of public safety communications dispatching services during the consolidation is critical to ensuring public safety; and

Whereas, the transition in employment of emergency communications dispatchers from local public safety communications services agencies to the Department of Public Safety would be facilitated by permitting such dispatchers' retirement benefits to be transferred as part of the transition of employment process; and

Whereas, such a facilitated transition would better ensure the continuity of operations of public safety communications dispatching services, which is in the public interest; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §17656, sub-§2, as enacted by PL 2005, c. 668, §1, is amended to read:

2. Reemployment of public safety communications dispatchers with Department of Public Safety. Notwithstanding subsection 1, a member of the retirement system whose previous membership was based upon employment as a public safety communications dispatcher with a participating local district and whose employment with the participating local district was terminated as a result of the consolidation of the participating local district's public safety dispatching services with the Department of Public Safety and who then becomes employed as a public safety communications dispatcher or emergency communications technician for the department may elect to include that previously earned creditable service with service earned as a state employee if that member:

A. Makes a one-time, irrevocable election no later than 30 days after commencing employment as a public safety communications dispatcher or emergency communications technician for the Department of Public Safety; and

B. Has not previously withdrawn all of the member's accumulated contributions.

If a member makes the election provided in this subsection, the State shall make whatever contribution is necessary to provide the benefits under the retirement system for the member as though the previous employment had been as a state employee, and all funds in the retirement system contributed by the member's former employer on account of the member's previous employment must be transferred to the account of the State and must be used to liquidate the liability incurred by reason of the previous employment.

Upon notification by the Department of Public Safety to the retirement system that an employee has made an election under this subsection, the retirement system shall calculate and provide to the Department of Public Safety the amount of the employer contribution required under this subsection.

A member who makes the election provided in this subsection and for whom applicable additional employer contributions have been paid is entitled to include the creditable service and earnable compensation with the previous employer with the creditable service and earnable compensation with the State for the purposes of benefit qualification under section 17851 and computation of benefits under section 17852.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

The bill provides that a member of the Maine State Retirement System whose previous membership was based upon employment as a public safety emergency communications dispatcher with a participating local district and whose employment with the participating local district was terminated as a result of the consolidation of the participating local district's public safety dispatching services with the Department of Public Safety and who then becomes employed as a public safety emergency communications technician for the department may elect to include that previously earned creditable service with service earned as a state employee under certain conditions.