

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

Sec. 1. 5 MRSA §17760, sub-§3, ¶C, as enacted by PL 2003, c. 693, §3, is amended to read:

C. For purposes of this subsection, "federally recognized period of conflict" means World War I, April 6, 1917 to November 11, 1918 or to March 31, 1920 if service was in Russia; World War II, December 7, 1941 to December 31, 1946; the Cold War, January 1, 1947 to December 27, 1991; the Korean Conflict, June 27, 1950 to January 31, 1955; the Vietnam War, August 5, 1964 to May 7, 1975 and the period beginning on February 28, 1961 and ending on May 7, 1975 in the case of a veteran who served in the Republic of Vietnam during that period; and the Persian Gulf War, August 7, 1990 to the date that the United States Government recognizes as the end of the Persian Gulf War.

Sec. 2. 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 by complying with the terms and conditions of this subsection and the applicable provisions of subsection 2. Service credit under this section is limited to 4 years.

2. Members qualified for credit at subsidized cost. A member qualified under subsection 1 to purchase service credit at the cost set forth in this subsection is entitled to service credit upon payment of back contributions in accordance with section 17713, subsection 2. Upon complete payment of back contributions, the member must be granted service credit for the period of time for which payment is made. Upon making partial payment, the member must be granted service credit on a pro rata basis in accordance with rules adopted by the board.

Sec. 3. 5 MRSA §18360, sub-§2, ¶E, as amended by PL 2007, c. 249, §29, is further amended to read:

E. Except as provided in paragraph I, a member who served in the armed forces during any federally recognized period of conflict, is entitled to service credit under this subsection. For purposes of this paragraph, "federally recognized period of conflict" means World War I, April 6, 1917 to November 11, 1918 or to March 31, 1920 if service was in Russia; World War II, December 7, 1941 to December 31, 1946; the Cold War, January 1, 1947 to December 27, 1991; the Korean Conflict, June 27, 1950

to January 31, 1955; the Vietnam War, August 5, 1964 to May 7, 1975 and the period beginning on February 28, 1961 and ending on May 7, 1975 in the case of a veteran who served in the Republic of Vietnam during that period; and the Persian Gulf War, August 7, 1990 to the date that the United States Government recognizes as the end of the Persian Gulf War.

Sec. 4. 5 MRSA §18363 is enacted to read:

§ 18363. 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 by complying with the terms and conditions of this subsection and the applicable provisions of subsection 2. Service credit under this section is limited to 4 years.

2. Members qualified for credit at subsidized cost. A member qualified under subsection 1 to purchase service credit at the cost set forth in this subsection is entitled to service credit upon payment of back contributions in accordance with section 18311. Upon complete payment of back contributions, the member must be granted service credit for the period of time for which payment is made. Upon making partial payment, the member must be granted service credit on a pro rata basis in accordance with rules adopted by the board.

SUMMARY

This bill 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.

It also allows a member of either program who served as a full-time active duty member of the United States Armed Forces during the Cold War, measured from January 1, 1947 to December 27, 1991, before becoming a member and who separated from the armed forces under conditions other than dishonorable to purchase service credit. This service credit is capped at 4 years for members of the State Employee and Teacher Retirement Program and 5 years for members of the Participating Local District Retirement Program.