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S.P. 359

In Senate, March 4, 2025

An Act to Include Judicial Marshals in the 1998 Special Plan for Retirement

Received by the Secretary of the Senate on February 27, 2025. Referred to the Committee on Labor 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 HICKMAN of Kennebec.
Cosponsored by Representatives: FREDETTE of Newport, GREENWOOD of Wales and
Representative: HASENFUS of Readfield.

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

2 **Sec. 1. 5 MRSA §17851-A, sub-§1, ¶P**, as amended by PL 2021, c. 474, §4, is
3 further amended to read:

4 P. Detectives in the employment of the Office of the Attorney General on July 1, 2020
5 who elect to participate in the 1998 Special Plan or hired thereafter; ~~and~~

6 **Sec. 2. 5 MRSA §17851-A, sub-§1, ¶Q**, as amended by PL 2023, c. 412, Pt. IIII,
7 §1, is further amended to read:

8 Q. Until July 31, 2024, civilian employees whose job responsibilities include the
9 handling, examination or analysis of digital or physical evidence in the employment of
10 the Department of Public Safety, Maine State Police Crime Laboratory or computer
11 crimes unit on October 1, 2021 or hired thereafter; and

12 **Sec. 3. 5 MRSA §17851-A, sub-§1, ¶R** is enacted to read:

13 R. Judicial marshals as defined in Title 25, section 2801-A, subsection 2-A in the
14 employment of the judicial branch on October 1, 2025 or hired thereafter.

15 **Sec. 4. 5 MRSA §17851-A, sub-§2**, as amended by PL 2021, c. 474, §6, is further
16 amended to read:

17 **2. Qualification for benefits.** A member employed in any one or a combination of
18 the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002
19 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
20 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
21 employees identified in subsection 1, paragraphs I to K; any employee identified in
22 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1,
23 paragraphs N to P; after September 30, 2021 for employees identified in subsection 1,
24 paragraph Q; after September 30, 2025 for employees identified in subsection 1, paragraph
25 R; and any employee identified in subsection 1, paragraph L, qualifies for a service
26 retirement benefit if that member either:

27 A. Is at least 55 years of age and has completed at least 10 years of creditable service
28 under the 1998 Special Plan in any one or a combination of the capacities; or

29 B. Has completed at least 25 years of creditable service in any one or a combination
30 of the capacities specified in subsection 1, whether or not the creditable service
31 included in determining that the 25-year requirement has been met was earned under
32 the 1998 Special Plan or prior to its establishment.

33 **Sec. 5. 5 MRSA §17851-A, sub-§3, ¶A**, as amended by PL 2021, c. 474, §7, is
34 further amended by amending subparagraph (1) to read:

35 (1) Service credit purchased by repayment of an earlier refund of accumulated
36 contributions following termination of service is included only to the extent that
37 time to which the refund relates was served after June 30, 1998 and before
38 September 1, 2002 for employees identified in subsection 1, paragraphs A and B;
39 after June 30, 1998 for employees identified in subsection 1, paragraphs C to H;
40 after December 31, 1999 for employees identified in subsection 1, paragraphs I to
41 K; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P;
42 and after September 30, 2021 for employees identified in subsection 1, paragraph

1 Q in any one or a combination of the capacities specified in subsection 1. Service
2 credit may be purchased for service by an employee identified in subsection 1,
3 paragraphs L ~~and~~, M ~~and~~ R regardless of when performed; and

4 **Sec. 6. 5 MRSA §17851-A, sub-§4, ¶A**, as amended by PL 2021, c. 474, §8, is
5 further amended to read:

6 A. If all of the member's creditable service in any one or a combination of the
7 capacities specified in subsection 1 was earned after June 30, 1998 and before
8 September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after
9 June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after
10 December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after
11 December 31, 2001 for employees identified in subsection 1, paragraph L; after June
12 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020
13 for employees identified in subsection 1, paragraphs N to P; ~~and~~ after September 30,
14 2021 for employees identified in subsection 1, paragraph Q; and after September 30,
15 2025 for employees identified in subsection 1, paragraph R; if service credit was
16 purchased by repayment of an earlier refund of accumulated contributions for service
17 in any one or a combination of the capacities specified in subsection 1 after June 30,
18 1998 and before September 1, 2002 for employees identified in subsection 1,
19 paragraphs A and B; after June 30, 1998 for employees identified in subsection 1,
20 paragraphs C to H; after December 31, 1999 for employees identified in subsection 1,
21 paragraphs I to K; after December 31, 2001 for employees identified in subsection 1,
22 paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph
23 M; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~
24 after September 30, 2021 for employees identified in subsection 1, paragraph Q; and
25 after September 30, 2025 for employees identified in subsection 1, paragraph R; or if
26 service credit was purchased by other than the repayment of an earlier refund and
27 eligibility to make the purchase of the service credit, including, but not limited to,
28 service credit for military service, was achieved after June 30, 1998 and before
29 September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after
30 June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after
31 December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after
32 December 31, 2001 for employees identified in subsection 1, paragraph L; after June
33 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020
34 for employees identified in subsection 1, paragraphs N to P; ~~and~~ after September 30,
35 2021 for employees identified in subsection 1, paragraph Q; and after September 30,
36 2025 for employees identified in subsection 1, paragraph R, the benefit must be
37 computed as provided in section 17852, subsection 1, paragraph A.

38 (1) If the member had 10 years of creditable service on July 1, 1993, the benefit
39 under subsection 2, paragraph B must be reduced as provided in section 17852,
40 subsection 3, paragraphs A and B.

41 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
42 the benefit under subsection 2, paragraph B must be reduced by 6% for each year
43 that the member's age precedes 55 years of age.

44 **Sec. 7. 5 MRSA §17851-A, sub-§4, ¶B**, as amended by PL 2021, c. 474, §9, is
45 further amended to read:

1 B. Except as provided in paragraphs D, E ~~and~~, F and G, if some part of the member's
2 creditable service in any one or a combination of the capacities specified in subsection
3 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs
4 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I
5 to K; before January 1, 2002 for employees identified in subsection 1, paragraph L;
6 before July 1, 2002 for employees identified in subsection 1, paragraph M; before July
7 1, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ before October
8 1, 2021 for employees identified in subsection 1, paragraph Q; and before October 1,
9 2025 for employees identified in subsection 1, paragraph R and some part of the
10 member's creditable service in any one or a combination of the capacities specified in
11 subsection 1 was earned after June 30, 1998 and before September 1, 2002 for
12 employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
13 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
14 employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for
15 employees identified in subsection 1, paragraph L; after June 30, 2002 for employees
16 identified in subsection 1, paragraph M; after June 30, 2020 for employees identified
17 in subsection 1, paragraphs N to P; ~~and~~ after September 30, 2021 for employees
18 identified in subsection 1, paragraph Q; and after September 30, 2025 for employees
19 identified in subsection 1, paragraph R, then the member's service retirement benefit
20 must be computed in segments and the amount of the member's service retirement
21 benefit is the sum of the segments. The segments must be computed as follows:

22 (1) The segment or, if the member served in more than one of the capacities
23 specified in subsection 1 and the benefits related to the capacities are not
24 interchangeable under section 17856, segments that reflect creditable service
25 earned before July 1, 1998 for employees identified in subsection 1, paragraphs A
26 to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
27 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
28 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
29 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
30 ~~and~~ before October 1, 2021 for employees identified in subsection 1, paragraph Q;
31 and before October 1, 2025 for employees identified in subsection 1, paragraph R
32 or purchased by repayment of an earlier refund of accumulated contributions for
33 service before July 1, 1998, for employees identified in subsection 1, paragraphs
34 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
35 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
36 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
37 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
38 ~~and~~ before October 1, 2021 for employees identified in subsection 1, paragraph Q;
39 and before October 1, 2025 for employees identified in subsection 1, paragraph R
40 in a capacity or capacities specified in subsection 1 or purchased by other than the
41 repayment of a refund and eligibility to make the purchase of the service credit,
42 including, but not limited to, service credit for military service, was achieved
43 before July 1, 1998 for employees identified in subsection 1, paragraphs A to H;
44 before January 1, 2000 for employees identified in subsection 1, paragraphs I to K;
45 before January 1, 2002 for employees identified in subsection 1, paragraph L;
46 before July 1, 2002 for employees identified in subsection 1, paragraph M; before
47 July 1, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ before

1 October 1, 2021 for employees identified in subsection 1, paragraph Q; and before
2 October 1, 2025 for employees identified in subsection 1, paragraph R, must be
3 computed under section 17852, subsection 1, paragraph A. If the member is
4 qualified under subsection 2, paragraph B and:

5 (a) Had 10 years of creditable service on July 1, 1993, the amount of the
6 segment or segments must be reduced as provided in section 17852, subsection
7 3, paragraphs A and B; or

8 (b) Had fewer than 10 years of creditable service on July 1, 1993, the amount
9 of the segment or segments must be reduced as provided in section 17852,
10 subsection 3-A; and

11 (2) The segment that reflects creditable service earned after June 30, 1998 and
12 before September 1, 2002 for employees identified in subsection 1, paragraphs A
13 and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C
14 to H; after December 31, 1999 for employees identified in subsection 1, paragraphs
15 I to K; after December 31, 2001 for employees identified in subsection 1, paragraph
16 L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after
17 June 30, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~
18 after September 30, 2021 for employees identified in subsection 1, paragraph Q;
19 and after September 30, 2025 for employees identified in subsection 1, paragraph
20 R or purchased by repayment of an earlier refund of accumulated contributions for
21 service after June 30, 1998 and before September 1, 2002 for employees identified
22 in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified
23 in subsection 1, paragraphs C to H; after December 31, 1999 for employees
24 identified in subsection 1, paragraphs I to K; after December 31, 2001 for
25 employees identified in subsection 1, paragraph L; after June 30, 2002 for
26 employees identified in subsection 1, paragraph M; after June 30, 2020 for
27 employees identified in subsection 1, paragraphs N to P; ~~and~~ after September 30,
28 2021 for employees identified in subsection 1, paragraph Q; and after September
29 30, 2025 for employees identified in subsection 1, paragraph R in any one or a
30 combination of the capacities specified in subsection 1, or purchased by other than
31 the repayment of a refund and eligibility to make the purchase of the service credit,
32 including, but not limited to, service credit for military service, was achieved after
33 June 30, 1998 and before September 1, 2002 for employees identified in subsection
34 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection
35 1, paragraphs C to H; after December 31, 1999 for employees identified in
36 subsection 1, paragraphs I to K; after December 31, 2001 for employees identified
37 in subsection 1, paragraph L; after June 30, 2002 for employees identified in
38 subsection 1, paragraph M; after June 30, 2020 for employees identified in
39 subsection 1, paragraphs N to P; ~~and~~ after September 30, 2021 for employees
40 identified in subsection 1, paragraph Q; and after September 30, 2025 for
41 employees identified in subsection 1, paragraph R must be computed under section
42 17852, subsection 1, paragraph A. If the member is qualified under subsection 2,
43 paragraph B and:

44 (a) Had 10 years of creditable service on July 1, 1993, the segment amount
45 must be reduced in the manner provided in section 17852, subsection 3,

1 paragraphs A and B for each year that the member's age precedes 55 years of
2 age; or

3 (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment
4 amount must be reduced by 6% for each year that the member's age precedes
5 55 years of age.

6 **Sec. 8. 5 MRSA §17851-A, sub-§4, ¶G** is enacted to read:

7 G. The service retirement benefit of a member to whom subsection 1, paragraph R
8 applies and who qualifies for service retirement benefits under subsection 2 must be
9 computed under section 17852, subsection 1, paragraph A on the basis of all of the
10 member's creditable service in the capacity specified in subsection 1, paragraph R,
11 regardless of when that creditable service was earned, except that for a member
12 qualifying under subsection 2, paragraph B:

13 (1) If the member had 10 years of service on July 1, 1993, the benefit must be
14 reduced as provided in section 17852, subsection 3, paragraphs A and B for each
15 year the member's age precedes 55 years of age; or

16 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
17 the benefit must be reduced by 6% for each year that the member's age precedes
18 55 years of age.

19 **Sec. 9. 5 MRSA §17851-A, sub-§5**, as amended by PL 2021, c. 474, §10, is further
20 amended to read:

21 **5. Contributions.** Notwithstanding any other provision of subchapter 3 to the
22 contrary, after June 30, 1998 and before September 1, 2002 for employees identified in
23 subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in
24 subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in
25 subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in
26 subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1,
27 paragraph M; after June 30, 2020 for employees identified in subsection 1, paragraphs N
28 to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q;
29 and after September 30, 2025 for employees identified in subsection 1, paragraph R, a
30 member in the capacities specified in subsection 1 must contribute to the State Employee
31 and Teacher Retirement Program or have pick-up contributions made at the rate of 8.65%
32 of earnable compensation until the member has completed 25 years of creditable service as
33 provided in this section and at the rate of 7.65% thereafter.

34 **Sec. 10. Maine Public Employees Retirement System report.** The Maine
35 Public Employees Retirement System shall submit a report to the Joint Standing Committee
36 on Labor no later than December 3, 2025. The report must include the number of judicial
37 marshals enrolled in the 1998 Special Plan and any recommendations for legislation. The
38 Joint Standing Committee on Labor may report out a bill to the Second Regular Session of
39 the 132nd Legislature to implement the recommendations of the report.

40 **SUMMARY**

41 This bill adds judicial marshals employed on October 1, 2025 or hired thereafter to the
42 1998 Special Plan in the Maine Public Employees Retirement System.