

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Date: (Filing No. S-)

APPROPRIATIONS AND FINANCIAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 412, L.D. 1175, Bill, “An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers”

Amend the bill by inserting after the enacting clause and before section 1 the following:

'PART A'

Amend the bill by striking out all of sections 3 and 4 and inserting the following:

Sec. 3. 5 MRSA §17851-A, sub-§4, ¶B, as repealed and replaced by PL 2003, c. 510, Pt. D, §4 and affected by §§6 and 7, is amended to read:

B. Except as provided in paragraphs D ~~and~~ E ~~and~~ F, if some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; and before July 1, 2002 for employees identified in subsection 1, paragraph M and some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for employees identified in subsection 1, paragraph M, then the member's service retirement benefit must be computed in segments and the amount of the member's service retirement benefit is the sum of the segments. The segments must be computed as follows:

- (1) The segment or, if the member served in more than one of the capacities specified in subsection 1 and the benefits related to the capacities are not interchangeable under section 17856, segments that reflect creditable service

COMMITTEE AMENDMENT

1 earned before July 1, 1998 for employees identified in subsection 1, paragraphs A
2 to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
3 I to K; before January 1, 2002 for employees identified in subsection 1,
4 paragraph L; and before July 1, 2002 for employees identified in subsection 1,
5 paragraph M or purchased by repayment of an earlier refund of accumulated
6 contributions for service before July 1, 1998, for employees identified in
7 subsection 1, paragraphs A to H; before January 1, 2000 for employees identified
8 in subsection 1, paragraphs I to K; before January 1, 2002 for employees
9 identified in subsection 1, paragraph L; and before July 1, 2002 for employees
10 identified in subsection 1, paragraph M in a capacity or capacities specified in
11 subsection 1 or purchased by other than the repayment of a refund and eligibility
12 to make the purchase of the service credit, including, but not limited to, service
13 credit for military service, was achieved before July 1, 1998 for employees
14 identified in subsection 1, paragraphs A to H; before January 1, 2000 for
15 employees identified in subsection 1, paragraphs I to K; before January 1, 2002
16 for employees identified in subsection 1, paragraph L; and before July 1, 2002 for
17 employees identified in subsection 1, paragraph M, must be computed under
18 section 17852, subsection 1, paragraph A. If the member is qualified under
19 subsection 2, paragraph B and:

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

23 (b) Had fewer than 10 years of creditable service on July 1, 1993, the
24 amount of the segment or segments must be reduced as provided in section
25 17852, subsection 3-A; and

26 (2) The segment that reflects creditable service earned after June 30, 1998 and
27 before September 1, 2002 for employees identified in subsection 1, paragraphs A
28 and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C
29 to H; after December 31, 1999 for employees identified in subsection 1,
30 paragraphs I to K; after December 31, 2001 for employees identified in
31 subsection 1, paragraph L; and after June 30, 2002 for employees identified in
32 subsection 1, paragraph M or purchased by repayment of an earlier refund of
33 accumulated contributions for service after June 30, 1998 and before September
34 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June
35 30, 1998 for employees identified in subsection 1, paragraphs C to H; after
36 December 31, 1999 for employees identified in subsection 1, paragraphs I to K;
37 after December 31, 2001 for employees identified in subsection 1, paragraph L;
38 and after June 30, 2002 for employees identified in subsection 1, paragraph M in
39 any one or a combination of the capacities specified in subsection 1, or purchased
40 by other than the repayment of a refund and eligibility to make the purchase of
41 the service credit, including, but not limited to, service credit for military service,
42 was achieved after June 30, 1998 and before September 1, 2002 for employees
43 identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees
44 identified in subsection 1, paragraphs C to H; after December 31, 1999 for
45 employees identified in subsection 1, paragraphs I to K; after December 31, 2001
46 for employees identified in subsection 1, paragraph L; and after June 30, 2002 for

1 employees identified in subsection 1, paragraph M must be computed under
2 section 17852, subsection 1, paragraph A. If the member is qualified under
3 subsection 2, paragraph B and:

4 (a) Had 10 years of creditable service on July 1, 1993, the segment amount
5 must be reduced in the manner provided in section 17852, subsection 3,
6 paragraphs A and B for each year that the member's age precedes 55 years of
7 age; or

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

11 **Sec. 4. 5 MRSA §17851-A, sub-§4, ¶F** is enacted to read:

12 F. The service retirement benefit of a member who is in the employment of the
13 Department of Public Safety, Bureau of Capitol Police as a Capitol Police officer on
14 the effective date of this paragraph and to whom subsection 1, paragraph M applies
15 and who qualifies for service retirement benefits under subsection 2 must be
16 computed under section 17852, subsection 1, paragraph A on the basis of all of the
17 member’s creditable service in the capacity specified in subsection 1, paragraph M,
18 regardless of when that creditable service was earned, except that for a member
19 qualifying under subsection 2, paragraph B:

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

23 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
24 the benefit must be reduced by 6% for each year that the member’s age precedes
25 55 years of age.

26 **Sec. 5. Appropriations and allocations.** The following appropriations and
27 allocations are made.

28 **RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**

29 **Retirement System - Retirement Allowance Fund 0085**

30 Initiative: Provides funds for the cost associated with allowing service retirement benefits
31 of a Capitol Police officer earned under the regular state employee teacher plan to be
32 calculated under the 1998 Special Plan.

33	GENERAL FUND	2013-14	2014-15
34	All Other	\$0	\$63,847
35			
36	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$63,847</u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

PART B

Sec. B-1. Production of analysis. By January 2, 2015, the Executive Director of the Maine Public Employees Retirement System, referred to in this Part as "the executive director," shall:

1. Determine the number of active members of the Maine Public Employees Retirement System who, after earning creditable service in the regular retirement program of the Maine Public Employees Retirement System in a capacity included in the Maine Revised Statutes, Title 5, section 17851-A, subsection 1, have earned creditable service under the 1998 Special Plan;

2. Identify changes to the current law governing qualification for retirement benefits under the Maine Public Employees Retirement System that are needed to allow all the creditable service benefits of an active member identified pursuant to subsection 1 earned in a capacity included in Title 5, section 17851-A, subsection 1 to be calculated as if earned under the 1998 Special Plan, regardless of when the creditable service was earned; and

3. Determine the cost to the State of implementing the changes identified in subsection 2.

Sec. B-2. Report. The executive director shall report the results of the analysis, including any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over retirement matters by January 15, 2015. The joint standing committee of the Legislature having jurisdiction over retirement matters may submit a bill related to the report to the First Regular Session of the 127th Legislature.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the majority report of the committee. Part A clarifies that service retirement benefits for a Capitol Police officer in the employment of the Department of Public Safety, Bureau of Capitol Police on the effective date of the legislation must be computed on the basis of all of the member's creditable service, regardless of when that service was earned. Part A also adds an appropriations and allocations section and makes technical changes to the bill.

Part B directs the Executive Director of the Maine Public Employees Retirement System to determine the number of active members who have earned creditable service in the 1998 Special Plan after earning creditable service in the regular plan in a capacity set forth in the Maine Revised Statutes, Title 5, section 17851-A, subsection 1; identify the required changes to the laws governing retirement benefits to allow service benefits for a current member of the 1998 Special Plan to be computed on the basis of all the member's

1 creditable service in a capacity set forth in Title 5, section 17851-A, subsection 1,
2 regardless of when that service was earned; and calculate the cost to the State of
3 implementing such a change. The executive director is required to report the results of
4 the analysis to the joint standing committee of the Legislature having jurisdiction over
5 retirement matters.

6 **FISCAL NOTE REQUIRED**

7 **(See attached)**