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Date: (Filing No. S-)

APPROPRIATIONS AND FINANCIAL AFFAIRS

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

**STATE OF MAINE
SENATE
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 610, L.D. 1653, Bill, “An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers”

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Sec. 3. 5 MRSA §17851-A, sub-§4, ¶B, as repealed and replaced by PL 2003, c. 510, Pt.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 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 or purchased by repayment of an earlier refund of accumulated

COMMITTEE AMENDMENT

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

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

18 (b) Had fewer than 10 years of creditable service on July 1, 1993, the
19 amount of the segment or segments must be reduced as provided in section
20 17852, subsection 3-A; and

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

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

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

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

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

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

18 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
19 the benefit must be reduced by 6% for each year that the member's age precedes
20 55 years of age.

21 **Sec. 5. Application.** Notwithstanding the Maine Revised Statutes, Title 5, section
22 17851-A, subsection 1, paragraph M, that section of this Act that enacts Title 5, section
23 17851-A, subsection 4, paragraph F applies only to those Capitol Police officers in the
24 employment of the Department of Public Safety, Bureau of Capitol Police as of the
25 effective date of this Act.

26 **Sec. 6. 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 | 2017-18 | 2018-19 |
| 34 | All Other | \$0 | \$40,610 |
| 35 | | | |
| 36 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$40,610</u> |
| 37 | | | |

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SUMMARY

This amendment makes technical drafting changes to the bill. It also makes clear that the provisions of the bill apply only to those Capitol Police officers employed in that capacity as of the effective date of the legislation.

The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)