

DATE: March 2, 2023

TO: Senator Michael Tipping, Chair
Representative Amy Roeder, Chair
Members, Joint Standing Committee on Labor and Housing

FROM: Kathy J. Morin, Director, Actuarial and Legislative Affairs

SUBJECT: Testimony on L.D. 483 - An Act to Amend the Laws Governing Retirement Benefit Reductions for Certain Employees Currently Included in the 1998 Special Plan

Good afternoon, Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor and Housing. My name is Kathy Morin, and I am the Director of Actuarial and Legislative Affairs for the Maine Public Employees Retirement System.

MainePERS is neither for nor against L.D. 483. We are here to provide information and offer any assistance the Committee might need regarding this bill.

State employees are covered by either a "regular plan" or a "special plan." The majority of state employees are covered by the regular plan, which permits retirement after twenty-five years of service and/or attainment of normal retirement age of 60, 62 or 65. Special plans typically allow for retirement with fewer years of service and/or at a younger age. Because of the more favorable provisions of the special plans, they are more expensive to fund. Included with this testimony is a chart that details the different plans and the groups covered by each.

Department of Corrections employees included in L.D. 1840 have been covered in the 1998 Special Plan since January 1, 2000. Under this Plan, participants become eligible to retire in one of two ways: 1) by accruing 25 years of service in a covered capacity; or 2) by accruing 10 years under the 1998 Special Plan and attaining age 55. Under the first provision, all service in a covered capacity is counted towards meeting the 25-year requirement while under the second provision, only service earned in a covered capacity after the date that a specific group is included in the plan is counted towards meeting the 10-year requirement.

Benefits are calculated based upon the plan under which the service was earned. The result for those members with some service in a regular plan and some service in a special plan is a "split age reduction" such that the regular plan service is reduced for early retirement prior to 60, 62 or 65; and the special plan service is reduced for early retirement only if retirement is prior to age 55. Members with all or a high percentage of their service under the 1998 Special Plan are more greatly advantaged by that plan.

L.D. 483 would change the manner in which certain Department of Corrections employees are included in the 1998 Special Plan. Specifically, it would treat all service, whenever earned, as being earned in the 1998 Special Plan, and therefore no longer subject to the split age reduction. The result for many impacted members would be the ability to retire at a younger age with an increased retirement benefit.

This bill would have a fiscal impact in that it would require immediate funding of the increased liabilities created by permitting past service of the covered employees to be included in the special plan, in compliance with the State Constitution. In the 130th Legislature, L.D. 1840, as amended, proposed the same change as is being proposed in L.D. 483. At that time, the estimated cost was approximately \$335,000. MainePERS will work with the Department and the Office of Fiscal and Program Review to confirm the individuals covered by this proposal and to update the costs associated with amending the retirement plan coverage for this group of employees.

Thank you for your consideration of this testimony. I would be happy to answer your questions and will be available at your work session.

MainePERS State-Sponsored Retirement Plans as of June 30, 2022

	Regular Plan	1998 Special Plan	25 Year No-Age Special Plan	Fire Marshals	Closed Plans*	Legislators	Judges
Member Count	State 10,787 Teacher 27,718	1,144	455	15	2	174	60
Groups included	All State employees not covered by a special plan <i>and</i> Teachers	<ul style="list-style-type: none"> • Liquor Inspectors (eff. 7/1/1998) • Airplane pilots (eff. 7/1/1998) • Forest Rangers (eff. 7/1/1998) • Fed-funded BIA firefighters (eff. 7/1/1998) • Baxter St. Park Rangers (1/1/2000) • Fire Marshals (eff. 1/1/2000) • Department of Corrections (eff. 1/1/2000) • Capitol Police (eff. 7/1/2002) • Oil & Hazardous Waste Emergency Response employees (eff. 1/1/2002) • Emergency Communications Employees at Dept. of Public Safety (eff. 7/1/20) • BMV Detectives (eff. 7/1/20) • AG Detectives (eff. 7/1/20) • Crime Laboratory/Computer Crimes Unit Employees (eff. 10/1/21) <p>*service prior to effective dates is in the regular plan</p>	Inland Fisheries and Wildlife Warden and Marine Resources Officers hired after 8/31/84 State Police hired after 9/15/84	State Fire Marshal Investigator State Fire Marshal Senior Investigator State Fire Marshal Sergeant Assistant State Fire Marshal- Investigations	Game Warden (1) State Police (1)	Legislators	Judges
Member Contribution Rate	7.65% 1.15% for those with employer-paid contributions	8.65% for the first 25 years of service, 7.65% thereafter 1.15% for those with employer-paid contributions	8.65% for the first 25 years of service, 7.65% thereafter 1.15% for those with employer-paid contributions	8.65% for the first 20 years of service, 7.65% thereafter 1.15% for those with employer-paid contributions	Varies	7.65%	7.65%
Total Employer Rate for FY 24	State 4.84% NC 16.23% UAL 21.07% TOTAL Teacher 4.47% NC 14.51% UAL 18.98% TOTAL	5.33% NC 18.50% UAL 23.83% TOTAL	5.55% NC 17.86% UAL 23.41% TOTAL	11.97% NC 25.42% UAL 37.39% TOTAL	Varies	5.74% NC (5.74%) UAL 0.0% TOTAL	12.21% NC (8.02%) UAL 4.19% TOTAL

MainePERS State-Sponsored Retirement Plans as of June 30, 2022

	Regular Plan	1998 Special Plan	25 Year No-Age Special Plan	Fire Marshals	Closed Plans*	Legislators	Judges
Normal Retirement Age	60/62/65	55	Any age at which member meets service requirement	Any age at which member meets service requirement	Varies	60/62/65	60/62/65
Service Eligibility	25 years	10 years under the plan if at least age 55 or 25 years in a covered position	25 years of covered service	20 years of covered service	Varies	25 years	25 years
Accrual Rate	2%	2%	2%	2.5% for 20 years and 2% for additional years over 20	Varies	2%	2% for service through 6/30/98 and 3% for service thereafter
Early Retirement Reduction Factor	2.125% or 6% per year based on years of service on 7/1/93	2.125% or 6% per year based on years of service on 7/1/93	N/A	N/A	N/A	2.125% or 6% per year based on years of service on 7/1/93	Benefits for Judges appointed on or after 12/1/84 cannot exceed 70% of AFC service on 7/1/93