

# **LD 313 "An Act to Ensure Consistency in Retirement Plans for Certain Law Enforcement Officer"**

**Maine Law Enforcement Coalition  
Testimony of Peter A Herring – Maine Game Warden  
March 28, 2023**

Good Morning Senator Tipping, Representative Roeder and distinguished members of the Labor and Housing Committee.

My name is Peter Herring from Gorham Maine. I am a 31year state of Maine employee and am currently employed as a Maine Game Warden. I am here today on my own time and at my own expense.

I am here to speak in support of **LD 313 "An Act to Ensure Consistency in Retirement Plans for Certain Law Enforcement Officers"**. I started my state service on May 4, 1992, at the Maine Correctional Center in Windham Me. At that time, I was hired as a Corrections Officer, and I served in this position until 1998.

In 1998, I was promoted to Industrial Shop Supervisor. I was also assigned partial duties of a Correctional Investigator. The then Investigator was retiring, and the department was transitioning me into that position, while also getting the position full time classified. I served in this part time capacity for approximately one year.

In October 1999, I was promoted to the newly created and classified position of Correctional Investigator. I was sent to the full-time police academy and served in this position until late June of 2009, over nine years and eight months.

In June of 2009, I was sworn as a Maine Game Warden, a position I currently hold today.

Prior to my transition from Correctional Investigator to Game Warden; both of which are full time and certified Law Enforcement positions, I spoke with Maine retirement and State human resources regarding my benefits. I was assured by both that all of my benefits would transfer with me including my Special 98 retirement benefits. Specifically, I was told by retirement that there was no issue where I was going into another State law enforcement special retirement, they would all blend together. I relied on those representations until I started speaking recently with Maine PEERS. It was explained that where I only did 9 and a half years under the Correctional Investigator special 98 plan it would convert from 25-55 to 25-62. I had no notice prior to June 2009 that by leaving the so-called Correctional Investigator special plan for a certified law enforcement position as a Game Warden that it would be a disqualifier. I was not told that I needed to vest in one law enforcement special retirement because the Warden Service was somehow a different special retirement. ALL law enforcement special retirements awarded to member groups of the Law Enforcement Bargaining Unit have the same language, 25 years of service and age 55 or 25 years of service and no age to be eligible for full, unpenalized retirement benefits.

In May of 2024, I will have 32 years of uninterrupted service as a Maine state employee and be 58 years old. Specifically, I will have 25 years as a full-time law enforcement officer for the state; but because I have worked in two different law enforcement positions for the state, I'm being told I will not qualify for full benefits under either special plan. This means that because I won't be at normal non-special plan retirement age, 62 for me, I will take a 6% penalty for each year I am younger than that, which equals a 24% reduction in my retirement benefit or be forced to work four more years to collect my retirement without penalty despite serving over 25 years in one or more law enforcement retirement plans.

In conclusion, I am proud of my service as a state employee. I'm not asking for any special treatment or consideration personally. I am asking that state employees be added to the Maine Retirement Portability Law and be afforded the same privileges that are offered to the municipal police community. I believe the circumstance I and potentially others face is an error, as the expressed intent of the law enforcement special retirements was inclusive to those law enforcement bargaining unit member agencies awarded a special retirement. All those plans grant the same provisions of 25 years of service and either age 55 or no age to earn a participant the full retirement.

I want to thank you for the opportunity to speak directly to you and would be willing to answer any questions you might have.