

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND NINETEEN

H.P. 1009 - L.D. 1395

An Act To Create Fairness for Dispatchers in the Maine Public Employees Retirement System

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

Sec. 1. 5 MRSA §18313 is enacted to read:

**§18313. Dispatchers**

**1. Definition.** For the purposes of this chapter, "dispatcher" means a person whose primary employment duties consist of any combination of:

- A. Acting as an emergency medical dispatcher as defined by Title 32, section 85-A, subsection 1, paragraph D;
- B. Answering, directing or dispatching the response to public safety requests for service at a public safety answering point as defined by Title 25, section 2921, subsection 7;
- C. Answering, directing or dispatching the response of emergency services for municipal fire protection pursuant to Title 30-A, chapter 153; or
- D. Answering, directing or dispatching the response of law enforcement officers as defined by Title 25, section 2801-A, subsection 5.

**2. Contribution rate.** Except as provided in subsections 3 and 4, a dispatcher employed by a participating local district that provides a special retirement benefit under section 18453, subsection 4 or 5 shall contribute to the Participating Local District Retirement Program or must have pick-up contributions made by the employer at a rate of 8% of earnable compensation as long as the person is employed as a dispatcher.

**3. Exception.** A participating local district may elect to reduce the rate of contribution set out in subsection 2 to 6.5% of earnable compensation for all dispatchers who continue employment after attaining eligibility for retirement during the remainder of their employment as dispatchers.

**4. Member contributions to Participating Local District Consolidated Retirement Plan.** The board may establish by rule the rate at which dispatchers who participate in the consolidated plan described in chapter 427 contribute to that plan. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

**Sec. 2. 5 MRSA §18453, sub-§2,** as amended by PL 2013, c. 602, Pt. B, §2, is further amended to read:

**2. Employee Special Plan #2.** A Except as provided in this subsection, a retirement benefit to police officers, firefighters, sheriffs, full-time deputy sheriffs, county corrections employees, dispatchers, emergency medical services persons as defined in Title 32, section 83, subsection 12, including but not limited to first responders, emergency medical technicians, advanced emergency medical technicians and paramedics, or any other participating local district employees who have completed 20 to 25 years of creditable service, the number of years to be selected by the participating local district. A participating local district may not elect to provide retirement benefits to its dispatchers in a plan that requires less than 25 years of creditable service. For the purposes of this subsection, "county corrections employees" means employees of the county who are employed at a county jail and whose duties include contact with prisoners or juvenile detainees. The benefits must be computed as follows:

A. Except as provided in paragraph B, 1/2 of the member's average final compensation; or

B. If the member's benefit would be greater, the part of the service retirement benefit based upon membership service before July 1, 1977; is determined, on a pro rata basis, on the member's current annual salary on the date of retirement or current final compensation, whichever is greater, and the part of the service retirement benefit based upon membership service after June 30, 1977; is determined in accordance with paragraph A.

**Sec. 3. 5 MRSA §18453, sub-§3,** as amended by PL 2013, c. 602, Pt. B, §3, is further amended to read:

**3. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan #1.** A retirement benefit equal to 1/2 of the member's average final compensation to a firefighter, including the chief of a fire department, ~~and a dispatcher~~ or an emergency medical services person as defined in Title 32, section 83, subsection 12, including but not limited to a first responder, emergency medical technician, advanced emergency medical technician and paramedic, who has completed at least 25 years of creditable service in that capacity and who retires upon or after reaching age 55.

**Sec. 4. 5 MRSA §18453, sub-§4,** as amended by PL 2013, c. 602, Pt. B, §4, is further amended to read:

**4. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan #2.** A retirement benefit to a firefighter, including the chief of a fire department, ~~and a dispatcher~~ or an emergency medical services person as defined in Title 32, section 83, subsection 12, including but not limited to a first responder, emergency medical

technician, advanced emergency medical technician and paramedic, who has completed at least 25 years of creditable service in that capacity and who retires upon or after reaching age 55. The benefits ~~shall~~ must be computed as follows:

A. Except as provided in paragraph B,  $\frac{2}{3}$  of the member's average final compensation; or

B. If the member's benefit would be greater, the part of the service retirement benefit based upon membership service before July 1, 1977; is determined, on a pro rata basis, on the member's current final compensation and the part of the service retirement benefit based upon membership service after June 30, 1977; is determined in accordance with paragraph A.

**Sec. 5. 5 MRSA §18453, sub-§5**, as amended by PL 2013, c. 602, Pt. B, §5, is further amended to read:

**5. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan #3.** A Except as provided in this subsection, a retirement benefit to a firefighter, including the chief of a fire department, and a dispatcher or an emergency medical services person as defined in Title 32, section 83, subsection 12, including but not limited to a first responder, emergency medical technician, advanced emergency medical technician and paramedic, who has completed 20 to 25 years of creditable service in that capacity, the number of years to be selected by the participating local district, and who retires at any age. A participating local district may not elect to provide retirement benefits to its dispatchers in a plan that requires less than 25 years of creditable service. The benefits ~~shall~~ must be computed as follows:

A. Except as provided under paragraph B,  $\frac{2}{3}$  of the member's average final compensation; or

B. If the member's benefit would be greater, the part of the service retirement benefit based upon membership service before July 1, 1977; is determined, on a pro rata basis, on the member's current final compensation and the part of the service retirement benefit based upon membership service after June 30, 1977; is determined in accordance with paragraph A.