NOTICE OF PUBLIC HEARING

MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM
PROPOSED RULEMAKING – CHAPTER 803

DATE: August 21, 2019

TO: Employers of the PLD Consolidated Plan

FROM: Deanna Doyle, PLD Plan Administrator

RE: Notice of Public Hearing regarding proposed changes to the rule that governs the PLD Consolidated Plan – MainePERS Rule Chapter 803

MainePERS is proposing updates to Rule Chapter 803 to incorporate the provisions of two laws that were enacted during the recent legislative session. These proposed rule amendments are being submitted to the Board of Trustees for their consideration. The purpose of this memo is to explain the proposed amendments and to notify you of the public hearing that will be held as part of the process of amending the rule that governs the Plan.

The two new laws are as follows:

1. **Chapter 364 (L.D. 1395)**

   What it does: Permits PLD employers to adopt a special plan for dispatchers.

   Proposed rule: Amend special plan sections of the rule, with the exception of the section governing the 20-year plan, to permit employers to cover their dispatchers by a special plan.

   Exception: The law does not permit the adoption of a plan with an unreduced benefit before 25 years of service at any age in order to avoid a potential IRS plan compliance issue. The proposed rule would likewise not permit an employer to adopt the 20-year plan for dispatchers.

   A copy of this law can be found [here](http://example.com).

2. **Chapter 459 (L.D.1400)**

   What it does: Permits the purchase of service as a law enforcement officer earned with a federal, state, county or local law enforcement agency before becoming a MainePERS member.

   Proposed rule: Amend the rule to do the following:

   a) Establish eligibility to purchase law enforcement service. Specifically, a member must have at least 15 years of creditable service and must provide...
certification that the service to be purchased has not and will not be used to obtain other retirement benefits to be eligible to purchase up to 4 years of service.

b) Establish the required contributions for the purchase of service. Specifically, the member must pay the actuarial equivalent of the portion of the benefit based on the service that is purchased.

c) Establish how service is treated. Specifically, purchased service can be used towards meeting eligibility in the 25-year plans, but cannot be used towards meeting eligibility in the 20-year plan. For the 20-year plan, the purchased service is used towards additional benefits beyond those earned for the years used to qualify for benefits under that plan.

A copy of this law can be found here.

The proposed changes to the rule, along with some adjusted wording on unrelated technical provisions in the rule, will be considered by the MainePERS Board of Trustees through the rulemaking process. The public hearing is scheduled for September 12, 2019. You can find a copy of the rule that highlights the specific changes being proposed by visiting the homepage of our website at www.mainepers.org where you will find a link to the rule text. If you prefer that we email you a copy of the proposed rule change, please email your request to rulemaking@mainepers.org.

Please share this notice with your employees as no other direct mailing of the hearing notice is going out.

A public hearing is scheduled for 1:00 p.m. on September 12, 2019 in the MainePERS Board Room at 139 Capitol Street, Augusta, Maine. Written comments may be submitted via email at rulemaking@mainepers.org or through regular U.S. mail at MainePERS, PO Box 349, Augusta, ME 04332-0349. Written comments must be received no later than 5:00 p.m. on September 23, 2019.