

1 S.143

2 Introduced by Senators Westman and White

3 Referred to Committee on

4 Date:

5 Subject: Pension; Municipal Employees' Retirement System; sheriffs

6 Statement of purpose of bill as introduced: This bill proposes to expand  
7 membership eligibility in the Vermont Municipal Employees' System to  
8 employees in a county sheriff's department.

9 An act relating to the membership of the Vermont Municipal Employees'  
10 System

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 24 V.S.A. § 5053 is amended to read:

13 § 5053. MEMBERS

14 (a) An employee of an employer who joins the Vermont Municipal  
15 Employees' System may become a member of the System on the effective date  
16 of participation of said employer or at a later date if he or she has completed  
17 three or more years of continuous service as an employee. If an employee does  
18 not elect to join on the effective date of the System, he or she may join on the  
19 first of any subsequent month.

1 (b) Any employee who is hired subsequent to the effective date of  
2 participation of his or her employer shall become a member of the System on  
3 the date the employee is hired.

4 (c) A municipality may elect to join the Vermont Municipal Employees'  
5 Retirement System by a vote of the legislative body of such municipality for  
6 all its employees or for employees of one or more groups of employees that  
7 have a similarity of interest, needs, and general conditions of employment or  
8 dates of hire, as determined by the legislative body and approved by the Board.  
9 The effective date of participation for such employers shall be designated by  
10 the Retirement Board. The vote by the legislative body of a municipality to  
11 join the Vermont Municipal Employees' Retirement System shall be  
12 irrevocable.

13 (d) The Retirement Board may, upon application of the legislative body  
14 and an employee, exempt individual employees from membership in the  
15 System, provided that the Board determines that the employee is participating  
16 in an alternative retirement system, including a retirement plan qualifying  
17 under Section 401(a) or 457 of the Internal Revenue Code, which better meets  
18 the retirement needs of the employee.

19 (e) A county sheriff's department may elect to join the Vermont Municipal  
20 Employees' Retirement System for its permanent full-time and part-time  
21 employees who are not paid by the State of Vermont. The sheriff's department

1 shall pay the employer's share of the costs. The sheriff's department positions  
2 that are assigned as patrol deputies with primary law enforcement  
3 responsibility for municipalities shall be eligible for Group D. The sheriff's  
4 department positions that are primarily assigned to dispatch, administration,  
5 and nonprimary law enforcement deputies shall be eligible for Group B.  
6 Nonpermanent employees, including per diem deputies or auxiliary deputies,  
7 are not eligible for membership in the System. Any prior election by a  
8 sheriff's department to join the Vermont Employees' Retirement System shall  
9 not preclude a sheriff's department from electing to change that selection and  
10 join the Vermont Municipal Employees' Retirement System.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on passage.