

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND SECOND LEGISLATURE

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**Legislative Document**

**No. 1611**

S. P. 609

In Senate, January 17, 1966

The Committee on Retirements and Pensions suggested.

EDWIN H. PERT, Secretary

Presented by Senator Boisvert of Androscoggin.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SIX

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**AN ACT to Liberalize Credit for Out-of-State Service for Teachers  
Under State Retirement Law.**

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

**Sec. 1. R. S., T. 5, § 1094, sub-§ 12, ¶ A, amended.** The first paragraph of paragraph A of subsection 12 of section 1094 of Title 5 of the Revised Statutes is amended to read as follows:

'A. Out-of-state service ~~rendered prior to July 1, 1955~~ shall be allowed as additional creditable service for any member in the determination of his retirement allowance under any provisions of this chapter provided that the member has creditable service in Maine of at least 20 years in the aggregate, provided the member, prior to the date any retirement allowance becomes effective for him, makes contributions into the Members' Contribution Fund for the years of out-of-state service on the same basis as he would have made contributions had such service been in Maine, and subject to the following:'

**Sec. 2. R. S., T. 5, § 1094, sub-§ 12, ¶ A, sub-¶ (4), amended.** Subparagraph (4) of paragraph A of subsection 12 of section 1094 of Title 5 of the Revised Statutes is amended to read as follows:

'(4) If the member is other than a teacher, his last 10 years of creditable service prior to the date of retirement must be in Maine **and** no more than 10 years of such out-of-state service shall be allowed as creditable service ~~and years of out of state service prior to the date of establishment of the retirement system so far as he is concerned shall be allowed as creditable service only if the member makes contributions into the Members' Con-~~

~~tribution Fund for such years of out of state service on the basis set forth in paragraph B in lieu of the basis set forth preceding.~~

**Sec. 3. R. S., T. 5, § 1094, sub-§ 12, ¶ B, amended.** The first sentence of paragraph B of subsection 12 of section 1094 of Title 5 of the Revised Statutes is amended to read as follows:

~~'Out-of-state service, rendered after July 1, 1955 or rendered prior thereto if not allowed as creditable service under paragraph A, shall be allowed as additional creditable service for any member in the determination of his retirement allowance under any provision of this chapter provided the member, prior to the date any retirement allowance becomes effective for him, deposits in the Members' Contribution Fund by a single payment or by an increased rate of contribution such amount as together with regular interest credited thereon will be the actuarial equivalent, at the effective date of his retirement allowance, of the portion of his retirement allowance based on such additional creditable service.'~~

**Sec. 4. R. S., T. 5, § 1094, sub-§ 12, ¶ C, additional.** Subsection 12 of section 1094 of Title 5 of the Revised Statutes is amended by adding a new paragraph C to read as follows:

**'C. Anything to the contrary notwithstanding, any application for a retirement allowance that becomes effective after the effective date of this Act and for which out-of-state credits are to be granted must be accompanied by a certification that the out-of-state credits granted have not been or will not be used to obtain benefits in another state.'**