

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 197**

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H. P. 142

House of Representatives, January 14, 1971

Referred to Committee on Veterans and Retirement. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Lincoln of Bethel.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Out-of-State Service Under 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 ¶A of subsection 12 of section 1094 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 509 of the public laws of 1965, is further amended to read as follows:

**A.** Out-of-state service 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~~ 10 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-¶ (1), amended.** Subparagraph (1) of paragraph A of subsection 12 of section 1094 of Title 5 of the Revised Statutes, is amended to read as follows:

(1) If the member began to teach in the public schools in Maine for the first time prior to July 1, 1924, his last ~~15~~ 10 years of creditable service prior to the date of retirement must be in Maine;

**Sec. 3. R. S., T. 5, § 1094, sub-§ 12, ¶ A, sub-¶ (5), amended.** Subparagraph (5) of paragraph A of subsection 12 of section 1094 of Title 5 of the Revised Statutes, as enacted by chapter 314 of the public laws of 1965, is amended to read as follows:

(5) Any public school teacher who leaves service in Maine to teach children of United States ~~occupational~~ **military** forces, located in any foreign country on a regularly established United States military base, or who serves as a teacher in **Volunteers in Service to America, in the Peace Corps, foreign or domestic, or who teaches children of United States Foreign Service Corps outside the continental limits of the said United States**, shall be allowed credit for such service, not to exceed 2 years, provided such teacher returned to active teaching service in Maine within one year of the completion of such ~~foreign~~ service, and pays into the Maine State Retirement System contributions as would have been made had the service been rendered in Maine.

**Sec. 4. R. S., T. 5, § 1094, sub-§ 13, amended.** The 2nd sentence of subsection 13 of section 1094 of Title 5 of the Revised Statutes, as enacted by chapter 497 of the public laws of 1965 and as amended by chapter 449 of the public laws of 1969, is further amended to read as follows:

A state employee shall be entitled to this credit only if at point of retirement he shall have at least ~~5~~ 10 years of creditable service in the State Retirement System.

#### STATEMENT OF FACT

The amendments in this act are designed to update creditable service to include Peace Corps, VISTA and Foreign Service, as well as to change wording that no longer applies. Out-of-state and military service is also being improved to provide many Maine teachers the opportunity of purchasing service credit after 10 years of Maine service which is more consistent with retirement systems in other states.