

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 184

6
7 H.P. 150

House of Representatives, January 29, 1985

8 Reference to the Committee on Aging, Retirement and Veterans
9 suggested and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Cote of Auburn.

Cosponsored by Representative Stevens of Bangor, Representative
12 Mayo of Thomaston and Representative Descoteaux of Biddeford.

13 STATE OF MAINE

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Reduce the Requirement of State
18 Service in Order to Apply Credit for
19 Military Service.
20

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

23 5 MRSA §1094, sub-§13, as amended by PL 1981, c.
24 217, is further amended to read:

25 13. Military service credit. Anything to the
26 contrary notwithstanding, military service shall be
27 credited to all state employees who are unable to
28 otherwise qualify for military service credits. A
29 state employee shall be entitled to this credit only
30 if at point of retirement he shall have at least 15
31 10 years of creditable service in the State Retirement
32 System. The member shall contribute to the re-
33 tirement system for each year of military service
34 claimed that percentage of contribution required of
35 active members during the period of time covered by
36 said military service applied to the earnable compen-

1 sation paid such member during the first year of
2 state employment subsequent to service in the Armed
3 Forces, together with interest at 2% greater than
4 regular interest from January 1, 1976 or the date of
5 attaining ~~15~~ 10 years of creditable service, if later,
6 to the date of payment; however, 5% shall be the
7 minimum rate of contribution. In the event 2 or more
8 percentages of contribution were in effect during the
9 period of military service, the greatest percentage
10 of contribution shall govern. Credit for military
11 service under this subsection shall be limited to 4
12 years. Such credit shall be available to those persons
13 who were separated under conditions other than
14 dishonorable from the Armed Forces of the United
15 States.

16 A local district may elect, with regard to special
17 retirement plans under section 1092, subsection 3 and
18 section 1121, subsections 4, 8 and 9, that military
19 service credits under this subsection shall only apply
20 to additional retirement benefits under section
21 1092, subsection 3-A and shall not apply to age or
22 service requirements of retirement. Nothing in this
23 paragraph may be construed to affect in any way the
24 rights of public employees to collectively bargain
25 for terms and conditions of employment.

26 It is the intent that these provisions shall apply to
27 all persons, active or retired, but that for those
28 already retired the effective date of any adjustment
29 shall be not earlier than that date on which such
30 time or credit is certified to the Maine State Retirement
31 System. This subsection shall not apply to
32 any member who begins membership on or after January
33 1, 1976.

34 STATEMENT OF FACT

35 The purpose of this bill is to reduce from 15
36 years to 10 years the number of years of state service
37 before a state employee may receive credit for
38 military service.

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