MAINE STATE LEGISLATURE

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Legislative	Document						No. 55
H.P. 403		Н	ouse of	Represe	ntatives	, February	14, 19
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system at the commencement of his employment who la-ter becomes a member pursuant to subsection 2, shall not be permitted to pay contributions on or receive any creditable service time for the period during which he elected to not be a member of the system. Only members of the system, their dependents or beneficiaries shall be eligible to receive benefits from the system.

Sec. 2. 5 MRSA §1091, sub-§2 is amended to read:

2. Waiver; application for membership. Any employee person who has elected not to become a member by filing a waiver in accordance with the Revised Statutes of 1944, chapter 60, section 3 subsection 1, may at any time apply for and be admitted to membership. Membership service credit shall begin as of the effective date of first contributions to the system.

STATEMENT OF FACT

This change in the law allows persons entitled to 2 state-financed or supported pensions to receive both pensions if not for the same period of service. The present law conflicts with the provisions of the Maine Judicial Retirement System, the Maine Revised Statutes, Title 4, chapter 27.

As of the date of enactment, membership service with the Maine State Retirement System would begin as of the effective date of first contributions. This is consistent with the provisions of the laws already applied to employees of participating local districts. It prevents the searching of records throughout the State for persons who opted at the time of employment not to join the system. It prevents the increase in the unfunded liability of the State created by those individuals who decide to join the system, only at the time they become eligible for benefits.

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