

MAINE STATE LEGISLATURE

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5.
D. OF R.

1

L.D. 638

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(Filing No. S-185)

3

STATE OF MAINE

4

SENATE

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112TH LEGISLATURE

6

FIRST REGULAR SESSION

7

COMMITTEE AMENDMENT "A " to S.P. 243, L.D. 638,

8

Bill, "AN ACT Relating to the Allowance of Prior Ser-

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vice Credit under the Maine Retirement Law for Military

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Service."

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Amend the Bill by striking out everything after

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enacting clause and inserting in its place the fol-

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lowing:

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'5 MRSA §1094, sub-§13, as amended by PL 1981, c.

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217, is repealed and the following enacted in its

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place:

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13. Military service credit. Military service

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shall be credited as follows.

19

A. Anything to the contrary notwithstanding,

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military service shall be credited to all state

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employees who are unable to otherwise qualify for

22

military service credits. A state employee shall

23

be entitled to this credit only if at point of

24

retirement he shall have at least 15 years of

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creditable service in the State Retirement Sys-

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tem. The member shall contribute to the retire-

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ment system for each year of military service

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claimed that percentage of contribution required

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of active members during the period of time cov-

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ered by the military service applied to the earn-

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able compensation paid that member during the

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first year of state employment subsequent to ser-

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vice in the Armed Forces of the United States,

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together with interest at 2% greater than regular

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interest from January 1, 1976, or the date of at-

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tainning 15 years of creditable service, if later,

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to the date of payment; 5% shall be the minimum

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rate of contribution. In the event 2 or more

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percentages of contribution were in effect during

COMMITTEE AMENDMENT " A " to S.P. 243, L.D. 638

1 the period of military service, the greatest per-
2 centage of contribution shall govern. Credit for
3 military service under this subsection shall be
4 limited to 4 years. Credit shall be available to
5 those persons who were separated under conditions
6 other than dishonorable from the Armed Forces of
7 the United States.

8 A local district may elect, with regard to spe-
9 cial retirement plans under section 1092, subsec-
10 tion 3 and section 1121, subsections 4, 8 and 9,
11 that military service credits under this subsec-
12 tion shall only apply to additional retirement
13 benefits under section 1092, subsection 3-A, and
14 shall not apply to age or service requirements of
15 retirement. Nothing in this paragraph may be con-
16 strued to affect in any way the rights of public
17 employees to collectively bargain for terms and
18 conditions of employment.

19 It is the intent that these provisions shall ap-
20 ply to all persons, active or retired, but that
21 for those already retired the effective date of
22 any adjustment shall be not earlier than that
23 date on which such time or credit is certified to
24 the Maine State Retirement System. This subsec-
25 tion shall not apply to any member who begins
26 membership on or after January 1, 1976.

27 B. Any member not entitled to receive military
28 service credit pursuant to paragraph A or section
29 1091, subsection 6, who served on full-time ac-
30 tive duty as a member of the Armed Forces of the
31 United States at any time from August 5, 1964, to
32 May 7, 1975, and was separated under conditions
33 other than dishonorable, may be granted credit-
34 able service for that military service. Credit
35 for military service under this paragraph shall
36 be limited to 4 years. A member shall be enti-
37 tled to this credit only if at point of retire-
38 ment he shall have at least 15 years of member-
39 ship service and is unable to qualify for mili-

