

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 638

6
7 S.P. 243

In Senate, February 21, 1985

8 Referred to the Committee on Aging, Retirement and Veterans. Sent
9 down for concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Dow of Kennebec.

11 Cosponsored by Senator Baldacci of Penobscot and Representative
Hickey of Augusta.

12 STATE OF MAINE
13

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

17 AN ACT Relating to the Allowance of Prior
18 Service Credit under the Maine
19 Retirement Law for 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 years of creditable service in the State Retirement
32 System. The member shall contribute to the retire-
33 ment system for each year of military service claimed
34 that percentage of contribution required of active
35 members during the period of time covered by said
36 military service applied to the earnable compensation

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

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

25 It is the intent that these provisions shall apply to
26 all persons, active or retired, but that for those
27 already retired the effective date of any adjustment
28 shall be not earlier than that date on which such
29 time or credit is certified to the Maine State Re-
30 tirement System. This subsection shall not apply to
31 any member who begins membership on or after January
32 1, ~~1976~~ 2000.

33 STATEMENT OF FACT

34 The purpose of this bill is to permit members of
35 the Maine State Retirement System to buy back mili-
36 tary service time until the year 2000.

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