

# MAINE STATE LEGISLATURE

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(New Draft of H.P. 403, L.D. 556)  
(New Title)  
FIRST REGULAR SESSION

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ONE HUNDRED AND TWELFTH LEGISLATURE

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Legislative Document No. 1441

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H.P. 999 House of Representatives, April 30, 1985

Reported by Representative Hickey from the Committee on Aging,  
Retirement and Veterans and printed under Joint Rule 2. Original bill  
sponsored by Representative Hickey of Augusta.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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

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AN ACT to Prevent Double Benefits for the  
Same Period of Service, to Provide  
Membership as of the Effective Date of  
First Contributions and to Provide  
that Benefits be Paid only to Members,  
their Dependents or Beneficiaries.

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

Sec. 1. 5 MRSA §1091, sub-§1 is repealed and the  
following enacted in its place:

1. Employee; elected officials. Any person who  
becomes an employee shall become a member of the re-  
tirement system as a condition of employment. These  
persons may not be entitled to receive any retirement  
allowance under any other retirement provisions sup-  
ported wholly or in part by the State based upon the  
same period of service.

1 Membership shall be optional in the case of elected  
2 officials or officials appointed for a fixed term. A  
3 person electing not to join the system at the com-  
4 menecement of his employment who later becomes a mem-  
5 ber pursuant to subsection 2 shall not be permitted  
6 to pay contributions on or to receive any creditable  
7 service time for the period during which he elected  
8 not to be a member of the system. This subsection ap-  
9 plies to any member who begins membership after De-  
10 cember 31, 1985.

11 Only members of the system, their dependents or bene-  
12 ficiaries shall be eligible to receive benefits from  
13 the system.

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

15 2. Application for membership. Any employee  
16 person who has elected not to become a member by fil-  
17 ing a waiver in accordance with the Revised Statutes  
18 of 1944, chapter 607, section 3 pursuant to subsection  
19 1, may at any time apply for and be admitted to mem-  
20 bership. Membership service credit shall begin as of  
21 the effective date of first contributions to the sys-  
22 tem. This subsection shall apply to any member who  
23 begins membership after December 31, 1985.

24 FISCAL NOTE

25 This bill may eliminate some possible future ben-  
26 efit payments and hence may reduce the contributions  
27 to fund these reserves. The effect of the reductions  
28 would occur at the commencement of benefit payments  
29 to the persons entitled to them.

30 STATEMENT OF FACT

31 This new draft corrects awkward phraseology and  
32 grammar, breaks a long subsection into 3 paragraphs,  
33 changes a phrase to correct legal language "pursuant  
34 to," makes the bill effective for those joining the  
35 system after December 31, 1985 and adds a fiscal  
36 note.

37 3243041985