

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1701

7 H.P. 1196

House of Representatives, December 20, 1985

8 Approved for introduction by a majority of the Legislative Council  
9 pursuant to Joint Rule 26.

10 Received by the Clerk of the House on December 20, 1985. Referred to  
the Committee on Aging, Retirement and Veterans and 1,600 ordered printed  
pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

11 Presented by Representative Hickey of Augusta.

12 STATE OF MAINE  
13

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

17 AN ACT to Correct Inequities in the Laws of  
18 the Maine State Retirement System.  
19

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

22 5 MRSA 1121, subsection 1, ¶A, as amended by PL  
23 1985, c. 365, §8, and c. 507, §5, is repealed and the  
24 following enacted in its place:

25 A. Any member, who at the attainment of age 60  
26 years is in service, may retire at any time then  
27 or thereafter on a service retirement allowance,  
28 provided that the member has been in service for  
29 a minimum of one year immediately prior to re-  
30 tirement or has at least 10 years of creditable  
31 service, upon written application to the board of  
32 trustees setting forth at what time he desires to  
33 be retired. Notwithstanding this paragraph, any  
34 member who was a member on or before September  
35 18, 1981, who at the attainment of age 60 years  
36 is in service, may retire then or thereafter on a

1 service retirement allowance upon written appli-  
2 cation to the board of trustees setting forth at  
3 what time he desires to be retired. Creditable  
4 service as a member of the Maine Legislative Re-  
5 irement System before becoming a member of the  
6 Maine State Retirement System shall be used in  
7 determining the completion of 10 years of credit-  
8 able service. Any member not in service may re-  
9 tire at the age of 60 years or thereafter on a  
10 service retirement allowance upon written appli-  
11 cation to the board of trustees setting forth at  
12 what time he desires to be retired, provided that  
13 he has at least 10 years of creditable service or  
14 5 full terms as a Legislator.

15

STATEMENT OF FACT

16 The purpose of this bill is to correct an unfair  
17 situation which developed after the Legislature  
18 amended the retirement law to require members of the  
19 retirement system to have worked at least one year  
20 immediately prior to retirement age at age 60 years  
21 if the member has less than 10 years of service. The  
22 effect of this bill was to take away rights certain  
23 members of the system had already obtained. The  
24 change in the law should have applied only  
25 prospectively and the rights of the members of the  
26 system at the time of the change of the law should  
27 have been grandfathered.

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