

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1252

H.P. 936 House of Representatives, April 13, 1987
Reference to the Committee on Aging, Retirement and
Veterans suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative DUFFY of Bangor.

Cosponsored by Representative RICHARD of Madison.

STATE OF MAINE

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

1 AN ACT to Equalize Retirement Credits for Air
2 and Army National Guardsmen.
3

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

6 Sec. 1. 5 MRSA §17760, sub-§1, ¶A, as enacted by
7 PL 1985, c. 801, §§5 and 7, is amended to read:

8 A. No member who is otherwise entitled to ser-
9 vice credit for military leave may be deprived of
10 these credits if the member's return to member-
11 ship service is delayed beyond 90 days after his
12 separation from the service in the Armed Forces
13 of the United States, under conditions other than
14 dishonorable or for bad conduct, if the delay is
15 caused by an illness or disability incurred in
16 the service in the armed forces.

1 **Sec. 2. 5 MRSA §17760, sub-§1, ¶B, as enacted by**
2 **PL 1985, c. 801, §§5 and 7, is repealed and the fol-**
3 **lowing enacted in its place:**

4 **B. A member may not receive credit for military**
5 **leave on any day which the member has already re-**
6 **ceived state compensation or state retirement**
7 **credits or which is beyond a cumulative of 4**
8 **years' military service, unless:**

9 **(1) The member's return to active duty in**
10 **the armed forces or the extension of the pe-**
11 **riod of service beyond 4 years is required**
12 **by some mandatory provision; and**

13 **(2) The person presents proof of the return**
14 **to or extension of service satisfactory to**
15 **the board.**

16 **Sec. 3. 5 MRSA §17760, sub-§2, as enacted by PL**
17 **1985, c. 801, §§5 and 7, is amended to read:**

18 2. **Service before becoming a member.** A member
19 who served as a full-time active duty member of the
20 armed forces or national guard before becoming a mem-
21 ber of the retirement system is entitled to service
22 credit for the period of time he served in the armed
23 forces, under the following terms and conditions.

24 A. On the date of retirement, the member must
25 have at least 15 years of creditable service.

26 B. Service credit under this subsection is lim-
27 ited to 4 years.

28 C. The member must have separated from the armed
29 forces under conditions other than dishonorable
30 or for bad conduct.

31 D. Except as provided in paragraph E, the member
32 must have begun membership before January 1,
33 1976.

34 E. A member who served in the armed forces at
35 any time from August 5, 1964, to May 7, 1975, is
36 entitled to service credit under this subsection
37 if he begins membership before January 1, 1988.

