

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1470

H.P. 1033

House of Representatives, March 24, 2005

An Act To Give Retirement Credits to Judges Who Have Served in the Legislature

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MILLS of Farmington.
Cosponsored by Representatives: CARR of Lincoln, Speaker RICHARDSON of Brunswick,
SAVIELLO of Wilton, TARDY of Newport, Senators: HASTINGS of Oxford, WOODCOCK
of Franklin.

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

Sec. 1. 4 MRSA §1302, sub-§3-A is enacted to read:

3-A. Maine Legislative Retirement System service. Creditable service as a member of the Maine Legislative Retirement System pursuant to Title 3, chapter 29 must be allowed as creditable service of the Maine Judicial Retirement System as follows.

A. Any member who has not withdrawn that member's accumulated contributions with the Maine Legislative Retirement System may, upon appointment as a judge, have that member's Maine Legislative Retirement System contributions and membership service transferred to that member's account with the Maine Judicial Retirement System and all creditable service resulting from that member's membership in the Maine Legislative Retirement System is creditable service in the Maine Judicial Retirement System.

All funds in the Maine Legislative Retirement System contributed by the employer on account of the member's employment must be transferred to the Maine Judicial Retirement System and must be used to liquidate the liability incurred by reason of the member's previous employment. The State shall make such contributions, from time to time, as may be necessary to provide the benefits under the Maine Judicial Retirement System for the member as have accrued by reason of that member's previous employment and may accrue by reason of membership in the Maine Judicial Retirement System.

B. Any member who has withdrawn that member's accumulated contributions from the Maine Legislative Retirement System may, subsequent to appointment as a judge and prior to the date any retirement allowance becomes effective for that member, deposit in the fund by a single payment or by an increased rate of contribution an amount equal to the accumulated contributions withdrawn by that member together with interest at 2% greater than regular interest from the date of withdrawal to the date of repayment. If repayment is made in installments, interest continues to accrue on the outstanding balance. The member is entitled to all creditable service acquired during the previous membership. In the event any retirement allowance becomes effective before repayment is completed, the member is entitled to credit for that portion of the total of such previous creditable service that the total amount of payments actually made bears to the total amount, including interest at 2% greater than regular interest from the date

2 of withdrawal to the date the retirement allowance becomes
3 effective.

4 C. A person may not receive benefits under both the Maine
5 Judicial Retirement System and the Maine Legislative
6 Retirement System based upon the same period of service.

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SUMMARY

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12 This bill allows a member of the Maine Judicial Retirement
13 System service credit for time spent as a Legislator as long as
14 the member made payments to the Maine Legislative Retirement
 System for service as a Legislator.