

MAINE STATE LEGISLATURE

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No. 5

H.P. 6

House of Representatives, December 15, 2006

An Act To Provide Equal Treatment for All Veterans in the Laws Governing the Maine State Retirement System

Received by the Clerk of the House on December 13, 2006. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CAMPBELL of Newfield.
Cosponsored by Senator MILLS of Somerset and
Representatives: ADAMS of Portland, CRAVEN of Lewiston, CROSTHWAITE of Ellsworth,
GERZOFKY of Brunswick, MILLETT of Waterford, PINGREE of North Haven, TARDY of
Newport, TREAT of Farmingdale.

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

2 **Sec. 1. 5 MRSA §17760, sub-§3, ¶A,** as enacted by PL 2003, c. 693, §3, is
3 amended to read:

4 A. A member may purchase service credit at the cost set forth in subsection 4 if the
5 member has at least ~~15~~ 5 years of creditable service at the time of retirement; and the
6 member makes payment as required under subsection 4 ~~and the member:~~

7 ~~(1) Began membership prior to January 1, 1976;~~

8 ~~(2) Served in the United States Armed Forces during any federally recognized~~
9 ~~period of conflict; or~~

10 ~~(3) Was awarded an Armed Forces Expeditionary Medal, a Combat Action~~
11 ~~Ribbon, a Combat Infantry Badge or any other campaign or expeditionary medal~~
12 ~~and the receipt of such a medal would allow the member to be considered~~
13 ~~"preference eligible" under 5 United States Code, Section 2108(3)(A) or~~
14 ~~2108(3)(B). A member described in this subparagraph is entitled to purchase~~
15 ~~service credit at the cost set forth in subsection 4 only if a cost subsidy for that~~
16 ~~member's service credit has been paid to the retirement system as provided in~~
17 ~~subsection 6.~~

18 **Sec. 2. 5 MRSA §17760, sub-§3, ¶C,** as enacted by PL 2003, c. 693, §3, is
19 repealed.

20 **Sec. 3. 5 MRSA §17760, sub-§5, ¶C,** as enacted by PL 2003, c. 693, §3, is
21 amended to read:

22 C. A person who purchases service credit under this subsection and who
23 subsequently, without inclusion of the purchased service credit and prior to
24 retirement, becomes qualified for service credit at the cost set forth in subsection 4 is
25 entitled to purchase the service credit under section 17713, subsection 2 and to
26 receive a refund of the amount paid under this subsection that exceeds the cost to
27 purchase the service credit under section 17713. A person who would have been
28 qualified to purchase service credit under subsection 4 prior to retirement if a timely
29 appropriation had been made under former subsection 6 is entitled to a refund under
30 this subsection even if the person becomes qualified after retirement.

31 **Sec. 4. 5 MRSA §17760, sub-§6,** as enacted by PL 2003, c. 693, §3, is repealed.

32 **SUMMARY**

33 This bill allows members of the Maine State Retirement System with at least 5 years
34 of creditable service who served in the Armed Forces of the United States and received
35 an honorable discharge to purchase service credit for the time spent in the armed forces at
36 a subsidized cost, whether or not the military time was during a federally recognized
37 period of conflict or the member was awarded a campaign or expeditionary medal.