

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1630

S.P. 574

March 21, 2007

An Act To Address an Inequity in the Judicial Retirement System

Reported by President EDMONDS of Cumberland for the Judicial Compensation Commission pursuant to the Maine Revised Statutes, Title 4, section 1701.

Reference to the Committee on Judiciary suggested and ordered printed under Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

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

2 **Sec. 1. 4 MRSA §1302, sub-§3**, as amended by PL 1985, c. 693, §8, is further
3 amended to read:

4 **3. Maine State Retirement System and Maine Legislative Retirement System**
5 **service.** Creditable service as a member of the Maine State Retirement System or the
6 Maine Legislative Retirement System ~~shall be~~ is allowed as creditable service of the
7 Maine Judicial Retirement System as follows.

8 A. Any member who has not withdrawn ~~his~~ accumulated contributions with the
9 Maine State Retirement System or the Maine Legislative Retirement System may,
10 upon appointment as a judge, have ~~his~~ Maine State Retirement System or Maine
11 Legislative Retirement System contributions and membership service transferred to
12 ~~his~~ the member's account with the Maine Judicial Retirement System, and all
13 creditable service resulting from ~~his~~ membership in the Maine State Retirement
14 System ~~shall be~~ or the Maine Legislative Retirement System is creditable service in
15 the Maine Judicial Retirement System.

16 All funds in the Maine State Retirement System or the Maine Legislative Retirement
17 System contributed by the employer on account of ~~his~~ the member's employment
18 ~~shall~~ must be transferred to the Maine Judicial Retirement System and ~~shall be~~ used
19 to liquidate the liability incurred by reason of ~~his~~ the member's previous employment.
20 The State shall make such contributions, from time to time, as may be necessary to
21 provide the benefits under the Maine Judicial Retirement System for the member as
22 have accrued to ~~him~~ the member by reason of ~~his~~ the previous employment and may
23 accrue to ~~him~~ the member by reason of ~~his~~ membership in the Maine Judicial
24 Retirement System.

25 B. Any member who has withdrawn ~~his~~ accumulated contributions from the Maine
26 State Retirement System or the Maine Legislative Retirement System may,
27 subsequent to appointment as a judge and prior to the date any retirement allowance
28 becomes effective ~~for him~~, deposit in the fund by a single payment or by an increased
29 rate of contribution an amount equal to the accumulated contributions withdrawn ~~by~~
30 ~~him~~ together with interest at 2% greater than regular interest from the date of
31 withdrawal to the date of repayment. If repayment is made in installments, interest
32 ~~shall continue~~ continues to accrue on the outstanding balance. The member ~~shall be~~
33 is entitled to all creditable service ~~that he~~ acquired during ~~his~~ previous membership.
34 In the event any retirement allowance becomes effective before repayment is
35 completed, the member ~~shall be~~ is entitled to credit for that portion of the total of
36 such previous creditable service ~~which~~ that the total amount of payments actually
37 made bears to the total amount, including interest at 2% greater than regular interest
38 from the date of withdrawal to the date the retirement allowance becomes effective.

39 D. No person may receive benefits under both the Maine Judicial Retirement
40 System and the Maine State Retirement System or the Maine Legislative Retirement
41 System based upon the same period of service.

SUMMARY

1

2 This bill implements the recommendation of the Judicial Compensation Commission
3 that members of Maine's judiciary with retirement contributions earned in the Maine
4 Legislative Retirement System be allowed to fully transfer these contributions to the
5 Maine Judicial Retirement System.