

§18252. Membership in districts with Social Security coverage

A person who is or would be covered by the United States Social Security Act as a result of employment by a participating local district with Social Security coverage may elect to be a member in the Participating Local District Retirement Program. Except as provided by section 18252-C, a person must make an election at the time of initial hire or on the date of first eligibility to participate, whichever occurs earlier, whether to be a member of the program. [PL 2021, c. 286, §2 (AMD).]

1. Membership.

[PL 2009, c. 474, §31 (RP).]

2. Employee who is participating member.

[PL 2009, c. 474, §31 (RP).]

3. Person who has previously ceased contributions.

[PL 2009, c. 474, §31 (RP).]

4. Employee who has previously withdrawn rejoins after 3 years.

[PL 2003, c. 387, §6 (RP).]

5. Limit on right to rejoin.

[PL 2009, c. 474, §31 (RP).]

6. Restoration to service. Except as provided in section 18457-A, if any person who is the recipient of a service retirement benefit is covered by the United States Social Security Act upon being restored to service, continuation of that person's benefit is governed by the following.

A. The person may elect to have the service retirement benefit continued during the period of time the person is restored to service and the person may not accumulate any additional service credits. [PL 2009, c. 415, Pt. A, §5 (RPR).]

B. The person may elect to have the service retirement benefit terminated, again become a member of the Participating Local District Retirement Program and begin contributing at the current rate.

(1) The person is entitled to accumulate additional service credits during the period of time the person is restored to service.

(2) When the person again retires, the person is entitled to receive benefits computed on the person's entire creditable service and in accordance with the law in effect at the time. [PL 2009, c. 415, Pt. A, §5 (RPR).]

C. Upon being restored to service, the person must elect to have benefits either continued or terminated. If written notification of the person's election is not received by the executive director within 60 days of restoration to service, the person is deemed to have elected the provisions of paragraph A. The election, regardless of how it is made, is irrevocable during the period of restoration to service. [PL 2009, c. 415, Pt. A, §5 (RPR).]

[PL 2017, c. 392, §3 (AMD).]

SECTION HISTORY

PL 1985, c. 801, §§5,7 (NEW). PL 1987, c. 739, §§29,48 (AMD). PL 1987, c. 823, §§4-6 (AMD). PL 1989, c. 677, §§2,3 (AMD). PL 1993, c. 349, §20 (AMD). PL 1997, c. 709, §3 (AMD). PL 2001, c. 699, §3 (AMD). PL 2003, c. 387, §6 (AMD). PL 2003, c. 630, §A4 (AMD). PL 2005, c. 76, §1 (AMD). PL 2007, c. 137, §17 (AMD). PL 2007, c. 490, §1 (AMD). PL 2007, c. 491, §191 (AMD). PL 2009, c. 415, Pt. A, §5 (RPR). PL 2009, c. 474, §31 (AMD). PL 2011, c. 449, §14 (AMD). PL 2017, c. 392, §3 (AMD). PL 2021, c. 286, §2 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 130th Maine Legislature and is current through October 31, 2021. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.