

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Address an Inequity in the Judicial Retirement System

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

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

3. Maine State Retirement System and Maine Legislative Retirement System service. Creditable service as a member of the Maine State Retirement System or the Maine Legislative Retirement System shall be allowed as creditable service of the Maine Judicial Retirement System as follows.

A. Any member who has not withdrawn his accumulated contributions with the Maine State Retirement System or the Maine Legislative Retirement System may, upon appointment as a judge, have his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

All funds in the Maine State Retirement System or the Maine Legislative Retirement System contributed by the employer on account of his the member's employment shall ~~be~~ must be transferred to the Maine Judicial Retirement System and shall be used to liquidate the liability incurred by reason of his 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 to him the member by reason of his the previous employment and may accrue to him the member by reason of his membership in the Maine Judicial Retirement System.

B. Any member who has withdrawn his accumulated contributions from the Maine State Retirement System or the Maine Legislative Retirement System may, subsequent to appointment as a judge and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the fund by a single payment or by an increased rate of contribution an amount equal to the accumulated contributions withdrawn by him together with interest at 2% greater than regular interest from the date of withdrawal to the date of repayment.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

Sub- § 3, paragraph B first sentence, last 2 words "of repayment" should be changed to strike out the word "the" in "of the repayment" (see PL 1983 chapter 853 Pt. B, § 19.

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

SUMMARY

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