

94-411

MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM

CHAPTER 408

MILITARY SERVICE CREDIT

SUMMARY: This Chapter (1) defines full-time active duty in the Armed Forces of the United States, (2) describes the circumstances under which a member of the Maine Public Employees Retirement System who has served in the Armed Forces of the United States is denied the right to purchase military service credit based upon that service* and (3) limits purchase of military service credit to one membership under the Maine Public Employees Retirement System.

(*NOTE: The current statutory authority, cited below, does not include the language on which Section 2 was based. Section 2 is therefore without effect.)

SECTION 1. FULL-TIME ACTIVE DUTY

Full-time active duty as a member of the Armed Forces of the United States is active duty under Title 10 of the United State Code, not as a member of a reserve component.

SECTION 2. NOT ELIGIBLE TO PURCHASE CREDIT

1. A member of the Maine Public Employees Retirement System may not purchase military service credit under 5 MRSA §1094, sub-§13, paragraph B, for full-time active duty if the full-time active duty upon which the military service credit would be based forms the basis for any other retirement benefit.
2. A member who purchases military service credit who later becomes eligible for a military retirement will receive a refund of contributions and applicable interest and will receive no creditable service for that time.

SECTION 3. NO MULTIPLE PURCHASE OF CREDIT

A person who has multiple memberships in the Maine Public Employees Retirement System, either simultaneously or consecutively, may purchase military service credit under only one membership.

SECTION 4. APPLICATION

This rule shall apply to all members who become eligible to purchase military service credit after its effective date.

AUTHORITY: 5 MRSA §§ 17103(4), 17713, 17760, 18311 and 18360

EFFECTIVE DATE: June 9, 1986