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HOUSE BILL 945

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

BEN LUJAN

AN ACT

RELATING TO PUBLIC EMPLOYEES; PROVIDING FOR PURCHASE OF SERVICE CREDIT FOR RETIREMENT PURPOSES BY CERTAIN PUBLIC EMPLOYEES FOR CERTAIN PRIOR EMPLOYMENT WITH THE UNITED STATES DEPARTMENT OF ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 10-11-141 NMSA 1978 (being Laws 1993, Chapter 29, Section 1, as amended) is amended to read:

"10-11-141. PURCHASE OF SERVICE CREDIT. --An affiliated public employer that assumes a firefighting function previously provided by the United States government may, at the time of the assumption of the firefighting function, provide credited service for retirement board purposes to any employees who were previously employed by a firefighting unit of the United States government in connection with the assumed firefighting function

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1 or were previously employed as guards or couriers in a
2 protective force of the United States government The credited
3 service may be provided by the affiliated public employer
4 subject to the following conditions:

5 A. the employee shall pay to the [~~public employees'~~]
6 retirement board the difference between the actuarial present
7 value of association benefits likely to be paid the employee
8 computed with and without the United States government service;

9 B. the employee, within one year of the assumption
10 of the governmental function, irrevocably forfeits all rights
11 based upon employee contributions in and to the immediate vested
12 or nonvested retirement benefits under the retirement program of
13 the United States government in which the employee was
14 participating immediately prior to the assumption of the
15 governmental function; and

16 C. the payments made under Subsections A and B of
17 this section shall be made in a lump sum or by entering into an
18 installment contract for up to thirty-six months with the
19 retirement board at the regular interest rates and under the
20 standard conditions set for such installment contracts by that
21 board. The employee may purchase service credit equivalent to
22 the employee's service in a firefighting unit of the United
23 States department of energy or as a guard or courier in a
24 protective force of the United States department of energy The
25 employee shall make a written election concerning payment not

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1 later than December 1, ~~[1996]~~ 1997, and any election made
2 thereafter shall be void. "

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 4, 1997

Mr. Speaker:

Your LABOR AND HUMAN RESOURCES COMMITTEE, to
whom has been referred

HOUSE BILL 945

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
APPROPRIATIONS AND FINANCE COMMITTEE.

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Respectfully submitted,

Rick Mi era, Chai rman

Adopted _____

Not Adopted _____

(Chi ef Clerk)

(Chi ef Clerk)

Date _____

The roll call vote was 4 For 2 Against

Yes: 4

No: Macko, Roberts

Excused: Foy, Marquardt

Absent: None

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**State of New Mexico
House of Representatives**

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 8, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

HOUSE BILL 945

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Max Coll, Chairman

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FORTY- THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 4 Against

Yes: 6

No: Heaton, Marquardt, Pearce, Townsend

Excused: Abeyta, Bird, Buffett, Garcia, M H., Salazar, Taylor,
J. P. Varela

Absent: None

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FORTY-THIRD LEGISLATURE

FIRST SESSION

March 10, 1997

HOUSE FLOOR AMENDMENT number 1 to HOUSE BILL 945

Amendment sponsored by Representative Ben Lujan

1. On page 2, line 2, strike "government" and insert in lieu thereof "department of energy".

2. On page 3, between lines 2 and 3, insert the following new section:

"Section 2. EFFECTIVE DATE--CONTINGENCY--INTERNAL REVENUE SERVICE RULING.--On or before April 30, 1997, the public employees retirement association shall seek a ruling from the internal revenue service that this 1997 act does not jeopardize the qualified status of the public employees retirement plan. The provisions of this act shall become effective on the date that the association receives a favorable ruling. If the association receives an unfavorable ruling, the provisions of this 1997 act are null and void."

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FORTY-THIRD LEGISLATURE
FIRST SESSION

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HF/HB 945

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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FORTY-THIRD LEGISLATURE
FIRST SESSION

HF/HB 945

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 18, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 945, as amended

has had it under consideration and reports same with recommendation that
it DO PASS.

Respectfully submitted,

Shannon Robinson, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

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FORTY-THIRD LEGISLATURE
FIRST SESSION

HF/HB 945

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Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Adair, Boitano, Ingle, Vernon

Absent: None

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