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HOUSE BILL 193

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

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~~ ]  
department of energy 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~~ ]

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1 department of energy at the Los Alamos area office in  
2 connection with the assumed firefighting function or were  
3 previously employed as security inspectors in a protective  
4 force of the United States department of energy at the Los  
5 Alamos area office. The credited service may be provided by  
6 the affiliated public employer subject to the following  
7 conditions:

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

13 B. the employee, within one year of the assumption  
14 of the governmental function, irrevocably forfeits all rights  
15 based upon employee contributions in and to the immediate  
16 vested or nonvested retirement benefits under the retirement  
17 program of the United States [~~government~~] department of energy  
18 in which the employee was participating immediately prior to  
19 the assumption of the governmental function; [~~and~~]

20 C. the payments made under Subsections A and B of  
21 this section shall be made in a lump sum [~~or by entering into~~  
22 ~~an installment contract for up to thirty six months with the~~  
23 ~~retirement board at the regular interest rates and under the~~  
24 ~~standard conditions set for such installment contracts by that~~  
25 ~~board~~]. The employee may purchase service credit equivalent

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1 to the employee's service in a firefighting unit of the United  
2 States department of energy at the Los Alamos area office or  
3 as a security inspector or in a protective force of the United  
4 States department of energy at the Los Alamos area office.

5 The employee shall make a written election concerning payment  
6 and payment shall be made not later than December 1, [1996]  
7 1998, and any election made thereafter shall be void; and

8 D. the amount of service credit purchased pursuant  
9 to this section shall not exceed five years. "

10 Section 2. EFFECTIVE DATE--CONTINGENCY--INTERNAL SERVICE  
11 RULING.--The effective date of the provisions of this act is  
12 July 1, 1998 unless the public employees retirement  
13 association receives an unfavorable ruling relating to the  
14 provisions of this act from the internal revenue service.

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
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6 February 3, 1998  
7

8 Mr. Speaker:  
9

10 Your LABOR AND HUMAN RESOURCES COMMITTEE, to  
11 whom has been referred  
12

13 HOUSE BILL 193  
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15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 JUDICIARY COMMITTEE.

18 Respectfully submitted,  
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22 \_\_\_\_\_  
23 Sheryl M. Williams, Chairman  
24  
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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998

3 Page 5

4 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

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6 (Chi ef Clerk)

(Chi ef Clerk)

7  
8 Date \_\_\_\_\_

9  
10 The roll call vote was 7 For 0 Against

11 Yes: 7

12 Excused: None

13 Absent: Marquardt

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

February 13, 1998

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been  
referred

HOUSE BILL 193

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

Respectfully submitted,

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Shannon Robinson, Chairman

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Boitano, Garcia, Ingle, Smith

Absent: None

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