

# HOUSE BILL No. 4976

June 26, 1997, Introduced by Reps. Fitzgerald, McBryde, Goschka, Hammerstrom, Byl and Raczkowski and referred to the Committee on Public Retirement.

A bill to amend 1986 PA 182, entitled  
"State police retirement act of 1986,"  
by amending section 32 (MCL 38.1632).

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 32. (1) A member of this retirement system who has  
2 accumulated 10 or more years of retirement system service credit  
3 under this act or former ~~Act No. 251 of the Public Acts of 1935~~  
4 1935 PA 251, or both, and who, while an employee of the depart-  
5 ment of state police, was or is drafted, enlisted, inducted, or  
6 commissioned into active duty with the military, naval, marine,  
7 or other armed service of the United States government and who is  
8 accepted for reemployment as an employee of the department of  
9 state police who subscribes to the constitutional oath of office  
10 within 6 months following discharge from active service, or if  
11 hospitalized at date of discharge, is accepted for reemployment

1 as an employee of the department who subscribes to the  
2 constitutional oath of office within 6 months following release  
3 from the military facility, shall have not more than 2 years of  
4 the active service credited as a member of the retirement system,  
5 in the same manner as if the member had served uninterruptedly.  
6 During the period of active service, and until reemployment, the  
7 member's contributions to the reserve for employee contributions  
8 shall be suspended and the member's balance in his or her account  
9 standing to the member's credit as of the last payroll date pre-  
10 ceding the member's leave of absence shall be accumulated at reg-  
11 ular interest. If the member withdraws all or part of the accu-  
12 mulated contributions from his or her account, the active service  
13 shall not be credited until the member returns to the reserve for  
14 employee contributions those amounts withdrawn, together with  
15 regular interest computed from the date of withdrawal to the date  
16 of repayment.

17 (2) A member of this retirement system who does not meet the  
18 requirements of subsection (1) and who was drafted, enlisted,  
19 inducted, or commissioned into active duty with the military or  
20 other armed service of the United States government may elect to  
21 receive service credit for not more than 2 years of active duty  
22 upon request and payment to the retirement system of an amount  
23 equal to 5% of the member's full-time compensation for the fiscal  
24 year in which the payment is made multiplied by the years and  
25 months the member elects to purchase up to the maximum.

26 (3) A MEMBER WHO DOES NOT MEET THE REQUIREMENTS OF  
27 SUBSECTION (1) MAY ELECT TO PURCHASE SERVICE CREDIT EQUAL TO 1

1 YEAR OF SERVICE CREDIT FOR EVERY 3 YEARS OF ACTUAL TIME SPENT IN  
2 THE MICHIGAN NATIONAL GUARD OR A RESERVE COMPONENT OF THE ARMED  
3 FORCES OF THE UNITED STATES, OR BOTH, UPON REQUEST AND PRESENTA-  
4 TION OF ACCEPTABLE DOCUMENTATION AS DETERMINED BY THE RETIREMENT  
5 BOARD. THE MEMBER SHALL PAY TO THE RETIREMENT SYSTEM AN AMOUNT  
6 EQUAL TO 5% OF THE MEMBER'S FULL-TIME COMPENSATION FOR THE FISCAL  
7 YEAR IN WHICH PAYMENT IS MADE MULTIPLIED BY THE NUMBER OF YEARS  
8 INCLUDING ANY FRACTION OF A YEAR OF SERVICE THAT THE MEMBER  
9 ELECTS TO PURCHASE UP TO THE MAXIMUM. A MEMBER SHALL NOT PUR-  
10 CHASE MORE THAN 2 YEARS OF SERVICE CREDIT UNDER THIS SUBSECTION,  
11 LESS ANY SERVICE CREDIT PURCHASED UNDER SUBSECTION (2).

12 (4) Service shall not be credited UNDER SUBSECTION (2) OR  
13 (3) if the service is or would be credited under any other feder-  
14 al, state, or local publicly supported retirement system, but  
15 this restriction ~~shall~~ DOES not apply to those persons who have  
16 or will have acquired retirement eligibility under the federal  
17 government for service in the reserve. Armed service shall not  
18 be credited under ~~this~~ subsection (2) OR (3) until the member  
19 has accumulated 10 years of credited service, of which the last 5  
20 are continuous. FOR PURPOSES OF COMPUTING PAYMENT UNDER SUBSEC-  
21 TION (2) OR (3), THE COMPENSATION AMOUNT USED SHALL NOT BE LESS  
22 THAN THE HIGHEST FISCAL YEAR COMPENSATION PREVIOUSLY RECEIVED BY  
23 THE MEMBER.

24 (5) ~~-(3)-~~ Service credit may be purchased under this section  
25 instead of, but not in addition to, purchasing service credit  
26 under section 33.