

1 H.242

2 Introduced by Representatives Canfield of Fair Haven, Cupoli of Rutland City,  
3 Grad of Moretown, Martel of Waterford, McCoy of Poultney,  
4 Morrissey of Bennington, and Strong of Albany

5 Referred to Committee on

6 Date:

7 Subject: Executive; Vermont State Retirement System; elections; creditable  
8 service; military service; Persian Gulf War

9 Statement of purpose of bill as introduced: This bill proposes to grant up to  
10 three years of credit to a member of the Vermont State Retirement System who  
11 was issued a theater service medal or expeditionary medal for military service  
12 during the Persian Gulf War.

13 An act relating to credit in the Vermont State Retirement System for  
14 military service during the Persian Gulf War

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 3 V.S.A. § 477a is amended to read:

17 § 477a. ELECTIONS

18 (a)(1) Any member who has rendered 15 years of creditable service and  
19 who has, prior to becoming a member of the system, served a minimum of one  
20 full year of full-time service in the military or one full year of full-time service

1 as a member of the Cadet Nurse Corps in World War II, the Peace Corps, or  
2 VISTA for which the member has derived no military pension benefits, may  
3 elect to have included in the member's creditable service all or any part of the  
4 member's military, Cadet Nurse Corps, Peace Corps, or VISTA service not  
5 exceeding five years. Any member who so elects shall deposit in the ~~fund~~  
6 Fund by a single contribution the amount or amounts determined by the  
7 ~~system's~~ System's actuary to be ~~cost-neutral~~ cost-neutral to the ~~system~~ System.

8 (2) Notwithstanding the provisions of this subsection, any member shall,  
9 upon application, be granted up to three years of credit for military service  
10 during the periods June 25, 1950; through January 31, 1955; February 28,  
11 1961; through August 4, 1964; if service was performed in what is now the  
12 Republic of Vietnam, ~~and~~; August 5, 1964; through May 7, 1975; and the  
13 Persian Gulf War, as that term is defined pursuant to 38 U.S.C. § 101, if the  
14 member was issued a theater service medal or expeditionary medal for service  
15 during that War and shall not be required to make a contribution, provided the  
16 member has rendered 15 years of creditable service and, prior to becoming a  
17 member, served a minimum of one full year of full-time service in the military  
18 for which he or she has derived no military pension benefits.

19 (3) The provisions of this subsection shall also be available to ~~state~~ State  
20 employees who are not members of the ~~classified-system~~ Classified System

1 and who elect to participate in the ~~defined contribution retirement plan~~ Defined  
2 Contribution Retirement Plan under chapter 16A of this title.

3 (4) Notwithstanding the ~~foregoing~~ provisions of this subsection, in the  
4 event of a conflict between the provisions of this subsection and the provisions  
5 of 10 U.S.C. § 12736 concerning the counting of the same full-time military  
6 service toward both military and ~~state~~ State pensions, the provisions of the  
7 ~~United States~~ U.S. Code shall control.

8 \* \* \*

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2015.