

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1258

Short Title: Solicitor Service Recognized.

(Public)

Sponsors: Representative Miller.

Referred to: Pensions and Retirement.

April 12, 1989

A BILL TO BE ENTITLED

AN ACT RECOGNIZING CERTAIN FULL-TIME SERVICE AS AN ASSISTANT SOLICITOR FOR PURPOSES OF JUDICIAL LONGEVITY COMPENSATION AND RETIREMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-44(b) reads as rewritten:

"(b) In lieu of merit and other increment raises paid to regular State employees, a judge of the superior court, regular or special, shall receive as longevity pay an annual amount equal to four and eight-tenths percent (4.8%) of the annual salary set forth in the Current Operations Appropriations Act payable monthly after five years of service, nine and six-tenths percent (9.6%) after 10 years of service, fourteen and four-tenths percent (14.4%) after 15 years of service, and nineteen and two-tenths percent (19.2%) after 20 years of service. 'Service' means service as a justice or judge of the General Court of Justice or as a member of the Utilities Commission or as director or assistant director of the Administrative Office of the Courts. Service shall also mean service as a district attorney or as a clerk of superior court. For purposes of this section, service as a district attorney includes service as the district court prosecutor before the establishment of the General Court of Justice; it also includes service as a per diem assistant solicitor of superior court in the General Court of Justice for periods during which the person holding that office would have qualified under the last sentence of G.S. 135-1(10)."

Sec. 2. G.S. 135-56.2 reads as rewritten:

"§ 135-56.2. Creditable service for other employment.

Any member may purchase creditable service for service as a State teacher or employee, as defined under G.S. 135-1(10) and (25), and for service as an

1 employee of local government, as defined under G.S. 128-21(10). A member, upon the
2 completion of 10 years of membership service, may also purchase creditable service for
3 periods of federal employment, provided that the member is not receiving any
4 retirement benefits resulting from this federal employment, and provided that the
5 member is not vested in the particular federal retirement system to which the member
6 may have belonged while a federal employee. The member, after the transfer of any
7 accumulated contributions from the Teachers' and State Employees' Retirement System
8 or Local Governmental Employees' Retirement System, shall pay an amount equal to
9 the full cost of the service credits calculated on the basis of the assumptions used for
10 purposes of the actuarial valuation of the Retirement System's liabilities, taking into
11 account the additional retirement allowance arising on account of the additional service
12 credits commencing at the earliest age at which the member could retire with an
13 unreduced retirement allowance as determined by the Board of Trustees upon the advice
14 of the consulting actuary, plus an administrative fee as set by the Board of Trustees. As
15 an alternative to transferring any accumulated contributions from the Teachers' and
16 State Employees' Retirement System or the Local Governmental Employees' Retirement
17 System to the Consolidated Judicial Retirement System, a member may irrevocably
18 elect to transfer these contributions to the Supplemental Retirement Income Plan of
19 North Carolina as determined by the Plan's Board of Trustees and the Department of
20 State Treasurer in accordance with the provisions of G.S. 135-94(a)(4).
21 Notwithstanding the foregoing, credit for service as a per diem assistant solicitor of
22 superior court in the General Court of Justice, for period during which the person
23 holding that office would have as an employee under the last sentence of G.S. 135-
24 1(10), may be purchased on the same basis as provided by Section 1 of Chapter 1311,
25 Session Laws of 1973."

26 Sec. 3. This act shall become effective July 1, 1989.