

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8395. Full Pension Retirement Benefits.

Notwithstanding any law, regulation, or policy to the contrary, the Retirement Fund shall pay the full pension of retirees and shall not be reduced or recalculated on the basis that the employer contributions, in whole or in part, have not been remitted to the Fund. All unpaid retirement government contributions for all affected employees shall be treated as unfunded liability.

Source: PL 15-61, § 2.

Commission Comment: Public Law 15-61 was enacted on May 17, 2007, and contained the following findings and purpose in addition to severability and savings provisions:

Section 1. Findings and Purpose. The Legislature is cognizant that Article III, Section 20, of the NMI Constitution provides that membership in the Commonwealth retirement system is a contractual relationship and accrued benefits shall neither be diminished nor impaired. The purpose of this Act is to prohibit the Retirement Fund from paying less than the full pension entitled to the retirees.