

104TH CONGRESS
1ST SESSION

S. 1464

For the relief of certain former employees of the United States whose fire-fighting functions were transferred from the Department of Energy to Los Alamos County, New Mexico.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 1995

Mr. DOMENICI (for himself and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

For the relief of certain former employees of the United States whose firefighting functions were transferred from the Department of Energy to Los Alamos County, New Mexico.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PURPOSE.**

4 The purpose of this Act is to purchase service credit,
5 under the retirement system for employees of the State
6 of New Mexico, on behalf of certain former employees of
7 the United States who became employees of Los Alamos
8 County, New Mexico, as a result of the transfer of certain

1 firefighting functions from the Department of Energy to
2 that county in 1989.

3 **SEC. 2. PROVISIONS RELATING TO THE MAKING OF PAY-**
4 **MENTS.**

5 (a) IN GENERAL.—In order to carry out the purposes
6 of this Act, the Secretary of the Treasury (or his designee)
7 and an individual designated by the Governor of New Mex-
8 ico shall enter into an agreement, as soon as practicable,
9 under which all individuals on behalf of whom any pay-
10 ments under this Act are to be made shall be identified,
11 and the amount payable on behalf of each such individual,
12 and the method of making such payment to the State of
13 New Mexico, shall be determined.

14 (b) LIMITATION.—The amount payable under this
15 Act on behalf of any particular individual may not exceed
16 the total amount that would have to be paid by the individ-
17 ual involved in order to receive service credit, under the
18 retirement system referred to in section 1, for the periods
19 of service as a firefighter rendered by such individual as
20 an employee of the Department of Energy or its prede-
21 cessor agencies, the Energy Research and Development
22 Administration and the Atomic Energy Commission;
23 minus—

24 (1) the amount of the lump-sum credit (as de-
25 fined by applicable provisions of title 5, United

1 States Code) paid to such individual based on such
2 individual's separation from the Department of En-
3 ergy (or, in the case of an individual whose lump-
4 sum credit also includes amounts attributable to
5 service other than a firefighter under the Depart-
6 ment of Energy, the portion of the lump-sum credit
7 attributable to service as such a firefighter); and,

8 (2) any other amounts paid to such individual,
9 including severance pay, as a result of such individ-
10 ual's separation from the Department of Energy.

11 **SEC. 3. PAYMENTS.**

12 (a) IN GENERAL.—The Secretary of the Treasury
13 shall pay to the State of New Mexico, out of amounts in
14 the Treasury not otherwise appropriated, the amounts de-
15 termined under section 2 in accordance with the applicable
16 terms of the agreement described in such section.

17 (b) RESTRICTION.—It shall be unlawful for any
18 amount in excess of 10 percent of any payment under this
19 Act on behalf of any individual to be paid to or received
20 by any agent or attorney in consideration of services ren-
21 dered in connection with such payment. Any person who
22 violates the preceding sentence shall be fined not more
23 than \$1,000.

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