

MAINE STATE LEGISLATURE

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New draft of S. P. 153, L. D. 429

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1424

S. P. 517

In Senate, February 21, 1963

Reported by Senator Sproul of Lincoln from Committee on Retirements and Pensions and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Relating to Retirement Allowances for Certain State Employees After Restoration to Service.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 63-A, § 8, amended. Section 8 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955 and as amended by chapter 130 of the public laws of 1957, is further amended to read as follows:

'Sec. 8. Restoration to service. Should a disability beneficiary be restored to service and should his annual earnable compensation then or at any time thereafter be equal to or greater than his average final compensation at retirement, his retirement allowance shall cease, the beneficiary shall again become a member of the retirement system, and he shall contribute thereafter at the same rate he paid prior to his retirement. Anything in this chapter to the contrary notwithstanding, any prior service certificate on the basis of which his service was computed at the time of his former retirement shall be restored to full force and effect, and in addition, upon his subsequent retirement he shall be credited with all the service as a member creditable to him at the time of his former retirement; but should he be restored to membership ~~after attainment of the age of 55~~, his retirement allowance upon subsequent retirement shall not exceed the sum of the retirement allowance which he was receiving immediately prior to his last restoration to membership and the retirement allowance that may have accrued to him on account of membership service since his last restoration to membership **except that if he has accrued at least 2 years of membership service since his last restoration to membership his subsequent retirement allowance shall be as provided in section 6.** Should any recipient of benefits other than disability bene-

fits be restored to service, the same general limitations with respect to whether or not the benefits should be suspended will be as outlined above, except that in the event benefits are suspended during such period of employment and such member subsequently again retires, he shall receive such combined benefits as may be computed on his entire creditable service and in accordance with the then existing provisions of the law. Any retired person ~~other than one receiving disability benefits~~ who so returned to active service since July 1, 1947 and who subsequently again retired shall have his benefit recomputed in accordance with ~~the provisions set forth in~~ the foregoing sentence, such adjusted benefit to be effective as of the date of last retirement except any such adjustment shall not be made effective unless the new benefit amount arrived at exceeds the amount of benefit already being paid to such retired person.'