

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 219**

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H. P. 156

House of Representatives, January 19, 1967

Referred to Committee on Retirements and Pensions. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Benson of Southwest Harbor.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT Relating to Retirement Allowances of Persons Who Become Legislative Employees or Legislators.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, many employees of the Legislature, as members of the State Retirement System were restored to service and discovered that their retirement allowances were discontinued; and

Whereas, the following legislation is vitally necessary to prevent undue hardship and discrimination for some Maine citizens; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**R. S., T. 5, § 1123, amended.** The first sentence of section 1123 of Title 5 of the Revised Statutes is amended to read as follows:

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, **except**

that any person who is drawing a retirement allowance under any provision of this chapter and who subsequently becomes an employee of the Legislature or elected to the Legislature shall be exempted from all limitations on earnings and shall be permitted to continue to be a recipient of a retirement allowance regardless of the amount earned while in such legislative employ.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.