

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 459

H. P. 325

House of Representatives, January 31, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Birt of East Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Restoration to Service Under State Retirement Law.

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

R. S., T. § 1123, amended. Section 1123 of Title 5 of the Revised Statutes is amended by adding at the end the following:

Except that a retired person who returns to service shall have the right to elect either of the following:

1. **Total compensation.** His earnable compensation when added to his retirement allowance may not exceed his average final compensation.

2. **If teacher or otherwise.** If he is a teacher his earnable compensation when added to his retirement allowance may not exceed the minimum salary prescribed by law for a teacher with his education and experience. If he is other than a teacher, his earnable compensation when added to his retirement allowance may not exceed the amount currently paid for a position which has the same status or title which the retired person had held at point of retirement.

Whenever a member who has retired is restored to service and subsequently retires he may elect either of the following:

1. **Recomputation.** He may have his retirement allowance recomputed so as to reflect the additional creditable service and possible increased annual final compensation; or

2. **Retirement allowance.** He may receive the retirement allowance in effect at the time of his return to service, including any adjustments which had been granted under section 1128 and any adjustments granted during that period in which his retirement allowance had been suspended.