

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1688

H. H. 1187

House of Representatives, May 31, 1967

Reported by Mrs. Giroux, from Committee on Retirements and Pensions.
Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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:

Sec. 1. 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, **the total of income from earnings in a covered position added to the gross retirement allowance**, then or at any time thereafter, **in any one year from the date of reemployment**, be equal to or greater than ~~his~~ **130%** of 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 applicable statutory 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.**

Sec. 2. R. S., T. 5, § 1123, amended. Section 1123 of Title 5 of the Revised Statutes is amended by adding at the end the following:

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 average 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.