

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1181

H. P. 894

House of Representatives, February 28, 1973

Referred to the Committee on Veterans and Retirement. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Trumbull of Fryeburg.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Restoration to State Service.

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

R. S., T. 5, § 1123, amended. The 3rd sentence of section 1123 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 595 of the public laws of 1971, is further amended to read as follows:

Should any recipient of benefits other than disability benefits be restored to service, and should the combination of his monthly retirement allowance and monthly earnable compensation at any time exceed $1/12$ of his average final compensation at retirement, his monthly retirement allowance payments shall be reduced accordingly; if his retirement allowance payments are thereby eliminated, the beneficiary shall again become a member of the retirement system and he shall contribute thereafter at the current rate and when 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 law; **except that this sentence shall not apply, for a period not to exceed 90 working days and a retired teacher may be reemployed to fill a vacancy when no other qualified teacher is available. The superintending school committee or board of directors shall file with the board a statement in the name of the teacher indicating that said emergency exists prior to the first payroll following the reemployment of said teacher.**

STATEMENT OF FACT

During the 105th Legislature, Title 5, section 1123 was amended by chapter 595 of the public laws of 1971, to limit the amount of income that could be

earned by a retired person returning to service in a position covered by the Maine State Retirement System.

In the case of teachers, this can work a significant hardship on those school systems which may find it difficult to replace a teacher where through accident, illness or death may leave a vacancy, especially during the school year. This bill allows adequate time to cover such emergencies.