

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 406

H. P. 368

House of Representatives, January 26, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Stevenson of Unity.

Cosponsor: Representative Pearson of Old Town.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Remove Restrictions Preventing Retired Teachers Elected to the
Legislature from Receiving Certain Benefits.**

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

Sec. 1. 5 MRSA § 1123, as last amended by PL 1979, c. 663, §§ 16 and 17, is further amended by adding at the end a new paragraph to read:

Any legislator who is a recipient of a state retirement allowance as a former state employee or teacher may have that time credited to his retirement allowance upon completion of legislative service and may then become entitled to a recomputation of benefits, provided that contributions are made on all salaries earned during the legislative service. The computation for the additional benefits shall be based strictly upon the legislative earnings and shall be exempted from such minimums as are provided under section 1121, subsection 2, paragraph A, subparagraph (4).

Sec. 2. **Application.** Any legislator, who is eligible for the benefits of this Act on the effective date of this Act, may make contributions on any legislative salary earned prior to the effective date of this Act.

STATEMENT OF FACT

The purpose of this bill is to prevent discrimination against retired teachers and state employees, who, after retirement, become Legislators. This will enable those retirees to contribute to the Maine State Retirement System and have his or her legislative service included in his or her prior service.