

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 905

H.P. 672 House of Representatives, March 24, 1987
Reference to the Committee on Aging, Retirement and
Veterans suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative PINES of Limestone.

Cosponsored by Representative DELLERT of Gardiner.

STATE OF MAINE

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

AN ACT to Amend the Maine State Retirement
System.

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

6 Sec. 1. 5 MRSA §1122, sub-§8, as amended by PL
7 1985, c. 722 and as repealed by PL 1985, c. 801, §§2
8 and 7, is repealed.

9 Sec. 2. 5 MRSA §17910, sub-§1, as enacted by PL
10 1985, c. 801, §§5 and 7, is amended to read:

11 1. Right to reinstatement. If the beneficiary
12 of a disability retirement benefit decides that he is
13 no longer incapacitated and is able to perform the
14 duties of his employment position, the employer for
15 whom he last worked prior to becoming disabled shall

1 may reinstate the person to the--first an available
2 position for which the beneficiary is qualified and
3 is consistent with the beneficiary's prior work expe-
4 rience. If a collective bargaining agreement applies
5 to such a position, the employer may offer only a po-
6 sition which the beneficiary could claim by virtue of
7 the seniority accumulated at the time of the disabil-
8 ity.

9 STATEMENT OF FACT

10 The purpose of this bill is to allow a former em-
11 ployer of a state employee or teacher to reinstate
12 that employee in a position for which he is qualified
13 rather than in the first available position. Section
14 one of the bill corrects an inconsistency by repeal-
15 ing a subsection which is now contained in the statu-
16 tory text amended in section 2 of the bill.

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