

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 870

H.P. 636

House of Representatives, March 22, 1989

Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative BAILEY of Farmington.

Cosponsored by Representative DUTREMBLE of Biddeford, Representative RICHARD of Madison and Representative SMALL of Bath.

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STATE OF MAINE

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

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An Act Regarding Voluntary Return to Service by Teachers.

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

3 5 MRSA §17910, sub-§1, as enacted by PL 1985, c. 801, §§5  
and 7, is amended to read:

5  
7 1. Right to reinstatement. If the beneficiary of a  
disability retirement benefit decides that he the beneficiary is  
no longer incapacitated and is able to perform the duties of his  
9 the beneficiary's employment position, the employer for whom he  
the beneficiary last worked prior to becoming disabled shall  
11 reinstate the person to the first available position for which  
the beneficiary is the best qualified among the available  
13 candidates and which is consistent with the beneficiary's prior  
work experience. If a collective bargaining agreement applies to  
15 such a position, the employer may offer only a position which the  
beneficiary could claim by virtue of the seniority accumulated at  
17 the time of the disability.

19

21 **STATEMENT OF FACT**

23 This bill gives superintendents and school boards the  
authority to employ the best-qualified teaching candidates in the  
25 context of voluntary return to service by teachers who were  
receiving disability retirement benefits.

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