

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2229

S.P. 869

In Senate, January 25, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Aging, Retirement and Veterans suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BERUBE of Androscoggin.
Cosponsored by Senator GAUVREAU of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Exempt Certain Persons from the Payment of Interest on Excess Retirement Benefits.

(After Deadline)



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

4 **Sec. 1. Exemption from interest on excess retirement benefits.**

6 Notwithstanding the Maine Revised Statutes, Title 5, section
8 18457, the Maine State Retirement System may not require, without
10 that person's consent, Normand R. Cloutier, Anthony N. Emmi or
12 Herve T. Gendreau to pay interest on money received during
14 certain years from the Maine State Retirement System that was in
excess of that authorized by law. This exemption from interest
payments applies only to money received for the years 1985-1987
for Mr. Gendreau, 1984-1987 for Mr. Cloutier and 1986-1987 for
Mr. Emmi. Nothing in this section abridges any other rights of
the Maine State Retirement System relative to money due from Mr.
Gendreau, Mr. Cloutier and Mr. Emmi.

16 **Sec. 2. Finding.** It is the finding of the Legislature that

18 the circumstances surrounding the excess retirement benefits paid
20 to Normand R. Cloutier, Anthony N. Emmi and Herve T. Gendreau are
such that it is not practicable to provide for their resolution
by general law.

22 **STATEMENT OF FACT**

24 Under current law, if a retired employee of a participating
26 local district is receiving retirement benefits and accepts
employment with the same district from which the employee had
28 retired, the amount that the employee may earn is limited. If
the employee earns more than the authorized amount and excess
30 retirement benefits are paid to the employee, the law requires
that the retirement system be reimbursed for the excess payments.

32 This bill exempts 3 retirees currently reemployed by the
34 City of Lewiston from paying interest on excess retirement
benefits that they owe to the retirement system for certain years
36 of their employment, unless they willingly agree to a payment
plan which includes payment of interest.