

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1102

H.P. 830

House of Representatives, February 22, 2001

An Act to Address the Critical Shortage of Teachers and School Administrators in Maine Public Schools.

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative RICHARD of Madison.
Cosponsored by Senator GAGNON of Kennebec and
Representatives: DESMOND of Mapleton, ESTES of Kittery.

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

Sec. 1. 5 MRSA §17855, first ¶, as amended by PL 1997, c. 769, §18, is further amended to read:

If Except as provided in subsection 4, if any recipient of a service retirement benefit is restored to service and if the total of the recipient's monthly retirement benefit for any year and the recipient's total earnable compensation for that year exceed the recipient's average final compensation at retirement, increased or decreased by the same percentage adjustments as have been received under section 17806, the excess must be deducted from the service retirement benefit payments during the next calendar year, except that beginning January 1, 1999 and thereafter 1/2 the excess must be deducted from the service retirement benefit payments during the next calendar year.

Sec. 2. 5 MRSA §17855, sub-§4 is enacted to read:

4. Option for former teachers. A recipient of a service retirement benefit who is a former teacher as teacher is defined in section 17001, subsection 42, paragraph A may exercise the option of being restored to service as a teacher for a total of up to 3 years while continuing to receive a full service retirement benefit. A teacher must file annually with the retirement system a record of a decision to exercise this option on a form established by the retirement system. No additional creditable service may be earned for restoration to service through exercise of the option provided in this subsection.

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SUMMARY

This bill allows retired teachers, school administrators and other licensed or certified educational employees to return to work for up to 3 years in a school in the capacity in which they are certified or licensed. During that time, they may receive full retirement benefits from the Maine State Retirement System. No additional service credit toward retirement is accrued during that time.