

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1314

S.P. 398

In Senate, March 5, 2001

An Act to Remove the Penalty for Education Retirees Who Work After Retirement.

Reference to the Committee on Labor 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 MITCHELL of Penobscot.
Cosponsored by Representative STEDMAN of Hartland and
Senators: FERGUSON of Oxford, LEMONT of York, SMALL of Sagadahoc,
Representatives: ESTES of Kittery, FULLER of Manchester, LEDWIN of Holden,
RICHARD of Madison, WESTON of Montville.

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

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

If Except for a teacher or other employee of a school administrative unit who has been retired for less than 5 years, 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-§2, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

2. Payments not deducted. The Except for a teacher or other employee of a school administrative unit who has been retired for less than 5 years, the recipient of the service retirement benefit shall reimburse the retirement system for any excess payments not deducted under this section.

SUMMARY

This bill eliminates for 5 years the reduction in benefits an education retiree receives if the retiree returns to service.