

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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**Legislative Document**

**No. 1638**

S.P. 646

In Senate, April 15, 2025

### **An Act Regarding Disability Retirement Benefits Under the Maine Public Employees Retirement System**

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Received by the Secretary of the Senate on April 11, 2025. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator DUSON of Cumberland.  
Cosponsored by Representative GEIGER of Rockland and  
Senators: BRADSTREET of Kennebec, HICKMAN of Kennebec, INGWERSEN of York,  
Representatives: BRIDGEO of Augusta, COLLINS of Sidney, FOLEY of Wells, ROEDER of  
Bangor.

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

2       **Sec. 1. 5 MRSA §17906, sub-§2, ¶A**, as amended by PL 1991, c. 885, Pt. E, §8  
3 and affected by §47, is further amended to read:

4       A. The amount of any disability retirement benefit payable under this article must be  
5 reduced by any amount received by the beneficiary for the same disability under ~~either~~  
6 ~~or both~~ of the following:

7           (1) The worker's compensation or similar law, except amounts that may be paid  
8 or payable under former Title 39, section 56-B or Title 39-A, section 212,  
9 subsection 3; ~~or~~.

10          (2) ~~The United States Social Security Act, if the employment for which creditable~~  
11 ~~service with the employer is allowed was also covered under that Act at the date~~  
12 ~~of disability retirement.~~

13       **Sec. 2. 5 MRSA §17925, sub-§3**, as amended by PL 2015, c. 392, §1, is repealed.

14       **Sec. 3. 5 MRSA §18525, sub-§3**, as amended by PL 1995, c. 643, §21, is repealed.

15       **Sec. 4. 5 MRSA §18530, sub-§4, ¶A**, as amended by PL 1991, c. 885, Pt. E, §15  
16 and affected by §47, is further amended to read:

17       A. The amount of any disability retirement benefit payable under this article must be  
18 reduced by any amount received by the person for the same disability under ~~either or~~  
19 ~~both~~ of the following:

20           (1) The workers' compensation or similar laws, except amounts that may be paid  
21 or payable under former Title 39, section 56-B or Title 39-A, section 212,  
22 subsection 3; ~~or~~.

23          (2) ~~The United States Social Security Act, if the employment for which creditable~~  
24 ~~service with the employer is allowed was also covered under that Act at the date~~  
25 ~~of disability retirement.~~

26       **Sec. 5. Retroactivity; payment of benefits and interest.** This Act applies  
27 retroactively to a person who was receiving disability retirement benefits under the Maine  
28 Public Employees Retirement System as of December 31, 2024 if those disability  
29 retirement benefits were reduced because the person received disability retirement benefits  
30 under the United States Social Security Act. A person affected by this Act must be paid  
31 the difference between:

32           1. The amount of disability retirement benefits, including any cost-of-living  
33 adjustments, the person should have received absent any reduction to such benefits due to  
34 the receipt of disability retirement benefits under the United States Social Security Act; and

35           2. The amount of disability retirement benefits the person actually received.

36       The person must be paid the difference with interest accruing from the date the person's  
37 disability retirement benefits were reduced to the date of the payment made pursuant to this  
38 section. The rate of interest must be calculated pursuant to the Maine Revised Statutes,  
39 Title 36, section 186.

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