

MAINE STATE LEGISLATURE

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September 7, 1972

W. G. Blodgett, Asst. Exec. Director

Maine State Retirement System

Charles R. Larouche, Assistant

Attorney General

Deduction of Workmen's Compensation from Retirement Allowance of
Employee of Maine Turnpike Authority.

This replies to your memo of August 11, 1972 on the reference subject.

You refer to my opinion to you of August 11, 1972, entitled "Retirement - Deduction of Workmen's Compensation from Retirement Allowance of Participating Local District Employee." and you ask whether or not the conclusion in that opinion applies to an employee of the Maine Turnpike Authority. Stated otherwise, you ask whether or not an occupational disability retirement allowance payment by the Maine State Retirement System to an employee of the Maine Turnpike Authority must be reduced by the amount of the workmen's compensation payment being made to such employee under coverage provided by the Maine Turnpike Authority. The answer to these questions is "yes". The conclusion in the August 11, 1972, opinion applies to this situation, and "no" the retirement allowance payment must not be reduced by the amount of the workmen's compensation payment being made under coverage provided by the Turnpike Authority. The workmen's compensation payments in question are not "amounts which may be paid or payable by the State." Instead, these are payments being made under coverage provided by the Turnpike Authority through non-State funds.

CHARLES R. LAROCHE
Assistant Attorney General

CRL:mfe