

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 61

H. P. 44

House of Representatives, January 11, 1977

Referred to the Committee on Veterans and Retirement. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Theriault of Rumford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Prevent the Reduction of the Ceiling on Outside Earnable Income Because of Cost-of-Living Adjustments to Disability Retirement Benefits.

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

5 MRSA § 1122, sub-§ 5, 2nd sentence, is amended to read:

If, for any such year, the total of such compensation and the disability retirement allowance of the beneficiary, **exclusive of any adjustments granted under section 1128** is greater than his average final compensation, the excess shall be deducted from the disability or service retirement allowance payments during the next calendar year, such deductions to be prorated on a monthly basis in an equitable manner prescribed by the board of trustees over the year or part thereof for which benefits are received.

FISCAL NOTE

Fiscal information was not yet available at the time of introduction of this bill. Fiscal information concerning this bill will be made available by the Retirement System as soon as it is received.

STATEMENT OF FACT

The purpose of this bill is to prevent the reduction of outside earnable income because of cost-of-living adjustments to disability retirement allow-

ances. Thus, this bill allows the amount of outside earned income to equal, without penalty, the difference between the average final compensation and the disability retirement allowance as originally granted. Any cost-of-living adjustments to the retirement allowance are not to be included in determining the outside income limit.