

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1470

H. P. 1248

House of Representatives, April 7, 1977

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Bunker of Gouldsboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Provide a Temporary Disability Plan for State Employees.

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

Sec. 1. 5 MRSA § 1129 is enacted to read:

§ 1129. Temporary disability plan

Any employee, after 12 consecutive months of full-time employment, who becomes totally disabled and incurs a loss of time from work as a result of any sickness or accidental bodily injury, which prevents the employee from performing any and every duty of his occupation, may receive a benefit payment while he remains totally disabled and under the care of a licensed physician.

The benefit payment period for which income benefits shall be payable shall commence on the day immediately following completion by the employee of the greater of his accumulated sick leave period or 30 days of continuous total disability and shall continue up to and including the earliest of:

1. Last day of disability. The last day on which the employee is unable to perform the duties of any gainful occupation;
2. Balance of 180-day period. The balance of the 180-day period of continuous total disability; or
3. Eligibility for disability retirement allowance. The first day the employee is eligible for a disability retirement allowance.

The benefit payment shall equal $66\frac{2}{3}\%$ of his weekly salary, not to exceed \$415.38, at date of disablement. However, no payment shall be made if the sickness or bodily injury is covered under workmen's compensation and any

state retirement allowance shall be deducted from the benefit payment, social security or similar disability income. No payments shall be made for disabilities occurring prior to the effective date of this Act.

The temporary disability plan shall be administered by the Maine State Retirement System. A contract may be entered into with an agency outside State Government for the administrative handling in part or in whole of the benefit payments.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Maine State Retirement System the sum of \$400,000 for the fiscal year ending June 30, 1978, and the sum of \$800,000 for the fiscal year ending June 30, 1979, to carry out the purposes of this Act. Any unexpended balance shall lapse at the end of each fiscal year.

STATEMENT OF FACT

The purpose of this temporary disability plan is to close the major part of the gap which now exists between sick leave and permanent disability payments.