

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1960

6 S.P. 779

In Senate, January 31, 1986

7 Approved for introduction by a majority of the Legislative Council
8 pursuant to Joint Rule 26.

9 Reference to the Committee on Aging, Retirement and Veterans
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

10 Presented by Senator Gauvreau of Androscoggin.

Cosponsored by Representative Hickey of Augusta, Senator Andrews of
Cumberland and Representative Dellert of Gardiner.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT to Encourage the Rehabilitation of
18 Members Receiving Disability Benefits
19 under the Maine State Retirement
20 System.
21

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

24 5 MRSA §1122, sub-§8 is enacted to read:

25 8. Restoration to service. In the event a benefi-
26 ciary of a disability retirement allowance becomes
27 rehabilitated, the employer for whom he last worked
28 prior to becoming disabled shall reinstate the person
29 to the first available position which the rehabili-
30 tated beneficiary is qualified to perform and which,
31 under any relevant collective bargaining agreement,
32 the beneficiary can claim by virtue of his seniority,
33 calculated as of the time of the disability. In the
34 event there is a dispute over the beneficiary's reha-
35 ilitation, the dispute shall be resolved by the ma-
36 jority decision of 3 physicians, one appointed by the

1 beneficiary, one by the employer and one by the exec-
2 utive director.

3 STATEMENT OF FACT

4 This bill seeks to encourage disabled Maine State
5 Retirement System members to undergo rehabilitation
6 by requiring the employer at the time the employee
7 became disabled to restore the member to his former
8 job upon the successful completion of a rehabilita-
9 tion program. A 3-person board consisting of physi-
10 cians appointed by the employee, employer and the
11 Maine State Retirement System would resolve disputes
12 as to whether rehabilitation was successful.

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