

# MAINE STATE LEGISLATURE

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1

L.D. 1818

2

(Filing No. S-220 )

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STATE OF MAINE

4

SENATE

5

113TH LEGISLATURE

6

FIRST REGULAR SESSION

7

SENATE AMENDMENT "A " to SENATE AMENDMENT "A" to

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S.P. 617, L.D. 1818, Bill, "AN ACT to Amend the State

9

Retirement Laws."

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Amend the Amendment by striking out everything after the first paragraph after the title and before the fiscal note and inserting in its place the following:

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'Sec. 1. 5 MRSA §17906, sub-§2, ¶B, as enacted by PL 1985, c. 801, §§5 and 7, is repealed and the following enacted in its place:

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B. Disability retirement benefits shall be calculated as follows:

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(1) The initial disability retirement benefit shall be reduced if necessary so that the benefit plus any benefits under paragraph A do not exceed 80% of the beneficiary's average final compensation;

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(2) Subsequent cost-of-living adjustments applied to any benefit listed under paragraph A shall be excluded from the calculations under subparagraph (1);

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(3) Adjustments under section 17806 shall be applied to that portion of disability retirement benefits calculated under subparagraph (1); and

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(4) If a beneficiary receives a benefit under paragraph C, the 80% limit under subparagraph (1) shall not include adjustments under section 17806.

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SENATE AMENDMENT "A " to SENATE AMENDMENT "A" to S.P. 617, L.D. 1818

1           **Sec. 2. 5 MRSA §18506, sub-§2, ¶B**, as enacted by  
2           PL 1985, c. 801, §§5 and 7, is repealed and the fol-  
3           lowing enacted in its place:

4           B. Disability retirement benefits shall be cal-  
5           culated as follows:

6                   (1) The initial disability retirement bene-  
7                   fit shall be reduced if necessary so that  
8                   the benefit plus any benefits under para-  
9                   graph A do not exceed 80% of the beneficia-  
10                  ry's average final compensation;

11                  (2) Subsequent cost-of-living adjustments  
12                  applied to any benefit listed under para-  
13                  graph A shall be excluded from the calcula-  
14                  tions under subparagraph (1);

15                  (3) Adjustments under section 18407 shall  
16                  be applied to that portion of disability re-  
17                  tirement benefits calculated under subpara-  
18                  graph (1); and

19                  (4) If a beneficiary receives a benefit un-  
20                  der paragraph C, the 80% limit under subpar-  
21                  agraph (1) shall not include adjustments un-  
22                  der section 18407.

23           **Sec. 3. P.L. 1987, c. 256**, is amended by adding  
24           after section 47 the following:

25           **Sec. 48. Transition.** The Maine Revised Stat-  
26           utes, Title 5, section 18061, subsection 2, paragraph  
27           A, as amended by this Act, shall apply to all persons  
28           retiring on or after January 1, 1987.'

SENATE AMENDMENT " A " to SENATE AMENDMENT "A" to S.P. 617, L.D. 1818

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STATEMENT OF FACT

2           At present, individuals who receive a disability  
3 retirement benefit based on the actuarial equivalent  
4 of their contributions receive a cost-of-living in-  
5 crease from both the Maine State Retirement System  
6 and from Social Security or workers' compensation.  
7 This amendment would allow these individuals to con-  
8 tinue to receive their adjustments. This amendment  
9 also corrects the date of application of a correction  
10 in the retirement laws.

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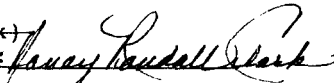
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(Sen. Clark)

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