

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 770

S.P. 288

Received by the Secretary, February 21, 1991

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TITCOMB of Cumberland

Cosponsored by Senator McCORMICK of Kennebec, Representative JALBERT of Lisbon and Senator CLARK of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

Resolve, to Create the Commission to Study a Long-term Disability
Program for the Maine State Retirement System Members.

(EMERGENCY)
Printed on recycled paper



2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 Whereas, the Commission to Study a Long-term Disability
Program for the Maine State Retirement System Members shall
report its findings and recommendations, including any necessary
8 implementing legislation, to the Second Regular Session of the
115th Legislature; and

10
12 Whereas, the Older Workers Protection Act, which was enacted
by the United States Congress and signed by the President on
October 16, 1990, mandates eligibility modifications for the
14 Maine State Retirement System disability program 2 years after
the effective date of the Act; and

16
18 Whereas, the Act allows legislative discretion in complying
with these revisions within the 2-year period; and

20 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
22 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
24 safety; now, therefore, be it

26 **Sec. 1. Commission established. Resolved:** That the Commission
to Study a Long-term Disability Program for the Maine State
28 Retirement System Members is established; and be it further

30 **Sec. 2. Commission membership. Resolved:** That the commission
consists of the following 7 members:

32
34 1. Three Legislators to be appointed jointly by the
President of the Senate and the Speaker of the House of
Representatives;

36 2. Three members to be appointed by the Governor; and

38
40 3. The Executive Director of the Maine State Retirement
System or a designee; and be it further

42 **Sec. 3. Appointments; meetings. Resolved:** That all
appointments be made no later than 30 days following the
44 effective date of this resolve. The Executive Director of the
Legislative Council must be notified by all appointing
46 authorities when the selections are made. The Chair of the
Legislative Council shall call the first meeting of the
48 commission. The commission shall select a chair from its
membership; and be it further

50

2 **Sec. 4. Duties. Resolved:** That the commission shall undertake
a study of the revisions mandated by the Older Workers Protection
4 Act and the effect on the eligibility requirements of the present
Maine State Retirement System disability programs. As part of
the study the commission shall:

6 1. Identify specific disability requirements affected by
8 the Older Workers Protection Act and the associated cost of
implementation;

10 2. Develop an alternative program as provided by the
12 transitional language in the Older Workers Protection Act that
approximates the overall cost of the present Maine State
14 Retirement System disability programs prior to revision; and

16 3. Recommend modifications to present Maine State
18 Retirement System disability programs as determined appropriate
during the course of the commission's study; and be it further

20 **Sec. 5. Report. Resolved:** That the commission shall submit
its findings with any recommended legislation pursuant to this
22 resolve to the Second Regular Session of the 115th Legislature by
December 1, 1991; and be it further

24 **Sec. 6. Staff assistance. Resolved:** That the Maine State
26 Retirement System staff provide any necessary staff assistance
for the commission and the retirement system's actuaries shall
28 furnish actuarial services to the commission under the actuaries
contract with the retirement system up to a value of \$20,000; and
30 be it further

32 **Sec. 7. Compensation. Resolved:** That the members of the
commission are entitled to legislative per diem and expenses, as
34 defined in the Maine Revised Statutes, Title 3, section 2 for
each day's attendance at commission meetings.

36 **Emergency clause.** In view of the emergency cited in the
38 preamble, this resolve takes effect when approved.

40
42 **STATEMENT OF FACT**

44 This resolve creates the Commission to Study a Long-term
Disability Program for the Maine State Retirement System Members.