

MAINE STATE LEGISLATURE

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Reported by: Senator Conley of Cumberland

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**STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 676, L.D. 1852, Bill, "An Act to Correct Errors and Inconsistencies in the Laws of Maine"

Amend the bill in Part A by striking out all of sections 1, 2 and 16.

Further amend the bill in Part A by inserting after section 15 the following:

'Sec. A-16. 5 MRSA Pt. 15-A, first 4 lines, as repealed and replaced by PL 1989, c. 502, Pt. A, §157 and c. 571, Pt. B, §1, are repealed and the following enacted in their place:

PART 15-A

LAND FOR MAINE'S FUTURE

CHAPTER 353

LAND FOR MAINE'S FUTURE'

Further amend the bill in Part A by striking out all of sections 19 and 20 and inserting in their place the following:

'Sec. A-19. 5 MRSA §18506, sub-§2, ¶A, as amended by PL 1991, c. 885, Pt. E, §13 and affected by §47, is further amended to read:

2 A. The amount of any disability retirement benefit payable
4 under this article must be reduced by any amount received by
the beneficiary for the same disability under either or both
of the following:

6 (1) The workers' compensation or similar law, except
8 amounts that may be paid or payable under former Title
39, section ~~56-er-56-A~~ 56-B or Title 39-A, section 212,
subsection 3; or

10 (2) The United States Social Security Act, if the
12 employment for which creditable service with the
14 employer is allowed was also covered under that Act at
the date of disability retirement.

16 **Sec. A-20. 5 MRSA §18506, sub-§2, ¶D**, as amended by PL 1991,
18 c. 885, Pt. E, §13 and affected by §47, is further amended to
read:

20 D. Lump-sum settlements of benefits that would reduce the
22 disability retirement benefit under this subsection must be
prorated on a monthly basis in an equitable manner
24 prescribed by the board.

26 (1) These prorated lump-sum settlements may not
include any part of the lump-sum settlement
28 attributable to vocational rehabilitation, attorneys'
fees, physicians, nurses, hospital, medical, surgical
30 or related fees or charges or any amount paid or
payable under former Title 39, section ~~56-er-56-A~~ 56-B
or Title 39-A, section 212, subsection 3.

32 (2) These prorated lump-sum settlements must reduce
34 the disability retirement benefit in the same manner
and amount as monthly benefits under this subsection.

36 Further amend the bill in Part A by striking out all of
38 sections 26, 30, 31, 32 and 33.

40 Further amend the bill in Part A in section 42 in subsection
5 in the first paragraph in the 3rd line from the end (page 19,
42 line 49 in L.D.) by striking out the following: "expressed" and
inserting in its place the following: 'express'

44 Further amend the bill in Part A by striking out all of
46 section 51 and inserting in its place the following:

48 **Sec. A-51. P&SL 1975, c. 84** is amended by striking out all of
50 the 2nd indented paragraph before the end and inserting in its
place the following:

