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	L.D. 1852	-	
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б	JUDICIARY		
8	Reported by: Senator Conley of Cumberland		
10 ·	Reproduced and distributed under the direction o of the Senate.	f the Secretary	
12	STATE OF MAINE		
14	STATE OF MAINE SENATE 116TH LEGISLATURE		
16	SECOND REGULAR SESSION		
18	COMMITTEE AMENDMENT " \mathcal{A} " to S.P. 676, L.D.	1852. Bill. "An	
20	Act to Correct Errors and Inconsistencies in the La		
22	Amend the bill in Part A by striking out all 2 and 16.	of sections 1,	
24	Further smood the bill in Part & by incertin	a ofter section	
26	Further amend the bill in Part A by inserting after section 15 the following:		
28 30	'Sec. A-16. 5 MRSA Pt. 15-A, first 4 lines, as repealed and replaced by PL 1989, c. 502, Pt. A, $\S157$ and c. 571, Pt. B, $\S1$, are repealed and the following enacted in their place:		
30	are repeated and the fortowing enacted in their pro	100:	
32	<u>PART_15–A</u>		
34	LAND FOR MAINE'S FUTURE		
36	CHAPTER 353		
38	LAND FOR MAINE'S FUTURE'		
40	Further amend the bill in Part A by strik sections 19 and 20 and inserting in their place the		
42	'Sec. A-19. 5 MRSA §18506, sub-§2, ¶A, as amended by PL 1991,		
44	c. 885, Pt. E, §13 and affected by §47, is further read:		
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COMMITTEE AMENDMENT

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

(1) The workers' compensation or similar law, except amounts that may be paid or payable under former Title 39, section $56-e_{F}-56-A$. <u>56-B</u> or Title 39-A, section 212, subsection 3; or

(2) The United States Social Security Act, if the employment for which creditable service with the 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, c. 885, Pt. E, §13 and affected by §47, is further amended to 18 read:

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

> These prorated lump-sum (1)settlements may not include any part of the lump-sum settlement attributable to vocational rehabilitation, attorneys' fees, physicians, nurses, hospital, medical, surgical 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.

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

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'

Further amend the bill in Part A by striking out all of 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 the 2nd indented paragraph before the end and inserting in its
 50 place the following:

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COMMITTEE AMENDMENT "H" to S.P. 676, L.D. 1852

Sec. 2. P&SL 1913, c. 157, §2 is amended by adding a new 2 paragraph at the end to read: ' 4 Further amend the bill in Part B by striking out all of б sections 2, 3 and 6 to 12. 8 Further amend the bill by renumbering the sections to read consecutively. 10 STATEMENT OF FACT 12 14 This amendment makes the following changes to the bill. In section A-19 it corrects a cross-reference change to 16 1. be consistent with corrections made in previous sessions. 18 It adds a new section after section A-19 to make another 2. cross-reference change consistent with section A-19. 20 22 In section A-20 it changes the chapter heading to avoid 3. conflict with other legislation currently before the Legislature and moves the provisions of the section to be after section A-15 24 where it should be located. 26 In section A-42 it corrects a word to maintain current 4. 28 statutory language. 30 5. In section A-51 it changes the amending clause to refer correctly to the language being amended. 32 It removes sections B-10 and B-11 from the bill because б. 34 they are unnecessary. 36 7. It removes sections A-1, A-2, B-2, B-3, and B-12 from the bill because they result in substantive or technically substantive statutory changes that should not be included in the 38 report on the bill by the Joint Standing Committee on Judiciary. 40 It removes sections from the bill that are being dealt 8. 42 with in other bills during the Second Regular Session of the 116th Legislature. 44

It should be noted that the Statement of Fact on the original bill in describing section A-39 incorrectly refers to Public Law 1975, chapter 370, section 12. The correct reference is Public Law 1987, chapter 370, section 12.

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COMMITTEE AMENDMENT