

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION-2007

Legislative Document

No. 155

H.P. 137

House of Representatives, January 12, 2007

An Act To Eliminate the Offset for Social Security and Certain Other Pensions for Unemployment Benefits

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CAMPBELL of Newfield.
Cosponsored by Representatives: CLARK of Millinocket, TUTTLE of Sanford, Senators:
President EDMONDS of Cumberland, PERRY of Penobscot, Senator MARTIN of Aroostook
and Representatives: Speaker CUMMINGS of Portland, MOORE of Standish, ROSEN of
Bucksport, TARDY of Newport, Senators: COURTNEY of York, McCORMICK of Kennebec,
RAYE of Washington, ROSEN of Hancock.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §1193, sub-§9**, as enacted by PL 1981, c. 149, §4, is repealed.

3 **Sec. 2. 26 MRSA §1193, sub-§10** is enacted to read:

4 **10. Receiving pension.** Except as provided in this subsection, for any week with
5 respect to which the individual is receiving a governmental or other pension, retirement
6 or retired pay, annuity or any other similar periodic payment under a plan maintained or
7 contributed to by a base period or chargeable employer.

8 A. The individual receives benefits with no reduction under this subsection if:

9 (1) The individual is receiving a pension paid under the United States Social
10 Security Act or any other pension or plan to which the individual made at least
11 50% of the contributions;

12 (2) All contributions to the plan were made by the individual and an employer or
13 any other person or organization who is not a base period or chargeable
14 employer; or

15 (3) The services performed for the employer by the individual during the base
16 period, or remuneration received for these services, did not affect the individual's
17 eligibility for, or increase the amount of, that pension, retirement or retired pay,
18 annuity or similar payment.

19 B. If the individual contributed to the plan, but not at least 50% of the contributions,
20 the individual receives a benefit reduced by the prorated weekly amount of the
21 pension after deduction of that portion of the pension that is directly attributable to
22 the percentage of the contributions made to the plan by that individual. The benefit
23 may not be reduced below zero.

24 **SUMMARY**

25 This bill eliminates the pension offset against unemployment benefits for persons
26 who receive Social Security or any other pension or plan to which the individual made at
27 least 50% of the contributions. If the person contributed some amount to the pension, but
28 less than 50%, the offset is made after deduction of that portion of the pension that is
29 directly attributable to the percentage of the contributions made to the pension by that
30 person.