

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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## CHAPTER 458

S.P. 617 — L.D. 1818

## AN ACT to Amend the State Retirement Laws.

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

**Sec. 1.** 5 MRSA §17906, sub-§2, ¶B, as enacted by PL 1985, c. 801, §§5 and 7, is repealed and the following enacted in its place:

B. Disability retirement benefits shall be calculated as follows:

(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;

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

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

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

**Sec. 2.** 5 MRSA §18506, sub-§2, ¶B, as enacted by PL 1985, c. 801, §§5 and 7, is repealed and the following enacted in its place:

B. Disability retirement benefits shall be calculated as follows:

(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;

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

(3) Adjustments under section 18407 shall be applied to that portion of disability retirement benefits calculated under subparagraph (1); and

(4) If a beneficiary receives a benefit under paragraph C, the 80% limit under subparagraph (1) shall not include adjustments under section 18407.

**Sec. 3.** PL 1987, c. 256, is amended by adding after section 47 the following:

**Sec. 48. Transition.** The Maine Revised Statutes,

Title 5, section 18061, subsection 2, paragraph A, as amended by this Act, shall apply to all persons retiring on or after January 1, 1987.

Effective September 29, 1987.

## CHAPTER 459

H.P. 596 — L.D. 807

## AN ACT to Fund the Cleanup of Fish Kills in the Coastal Waters.

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

12 MRSA §6132, as enacted by PL 1985, c. 786, is amended to read:

§6132. Natural Fish Die-off Clean-up Program

Upon the request of any affected municipality, the Department of Marine Resources shall assess the extent and severity of public nuisance and potential threats to public health posed by natural fish die-offs. The department shall provide technical advice and, subject to the limits of available funding, financial assistance to the affected municipalities in the conduct of any cleanup or other mitigating measures.

Effective September 29, 1987.

## CHAPTER 460

H.P. 300 — L.D. 386

## AN ACT Relating to the State Board of Arbitration and Conciliation.

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

**Sec. 1.** 5 MRSA §12004, sub-§3, ¶A, as amended by PL 1985, c. 785, Pt. B, §39, is further amended to read:

A. This classification includes the following boards:

	NAME OF ORGANIZATION	RATE OF COMPENSATION	STATUTORY REFERENCE
(1)	State Board of Arbitration and Conciliation	\$50/Day \$75/Day	26 MRSA §911 §931
(2)	Panel of Mediators	\$75/Day	26 MRSA §892
(3)	State Civil Service Appeals Board	\$50/Day	5 MRSA §7081
(4)	Maine Agricultural Bargaining Board	\$50/Day	13 MRSA §1956