

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

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

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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1989

Medical information obtained pursuant to this section shall remain confidential, except as otherwise provided by law, when involved in proceedings regarding workers' compensation or claims for other benefits.

See title page for effective date.

CHAPTER 77

H.P. 496 - L.D. 676

An Act to Provide that Certain Interest and Income Earned May Be Credited to the Maine State Retirement System for Administration

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

Sec. 1. 5 MRSA §19005, first and 2nd ¶¶, as enacted by PL 1985, c. 801, §§5 and 7, are amended to read:

The "~~Contribution Fund~~", "Contribution Fund," as heretofore established, shall consist of and there shall be deposited in ~~such~~ the fund: All contributions, interest and penalties collected under section 19004; all ~~moneys~~ money appropriated thereto under this chapter; any property or securities and earnings thereof acquired through the use of ~~moneys~~ money belonging to the fund; interest earned upon any ~~moneys~~ money in the fund; and all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other ~~moneys~~ money received for the fund from any other source. All ~~moneys~~ money in the fund shall be mingled and undivided. Subject to this chapter, the state agency is vested with full power, authority and jurisdiction over the fund, including all ~~moneys~~ money and property or securities belonging thereto, ~~and~~ The state agency shall invest the fund pursuant to section 17153, subsection 3 and credit all interest and income earned in excess of that needed, for the purposes set forth in this section, to the expense fund of the state agency, to be used to prepare and, if approved by the Legislature, implement a portable and integrated retirement plan for participating local districts and to defray the cost of administration for those districts that participated in the social security system through the Maine State Retirement System. The state agency may perform any and all acts whether or not specifically designated, which are necessary to the administration ~~thereof~~ of the Contribution Fund and are consistent with this chapter.

The Contribution Fund shall be established and held separate and apart from any other funds or ~~moneys~~ money of the State and shall be used and administered exclusively for the purpose of this chapter. ~~Withdrawals~~ Subject to this section, withdrawals from such the fund shall be made for, and solely for, payment of amounts required to be paid to the Secretary of the Treasury pursuant to an agreement entered into under section 19003; and refunds of overpayments, not otherwise adjustable, made by a political subdivision or instrumentality.

Sec. 2. Plan preparation. The Maine State Retirement System shall prepare a portable and integrated

retirement plan for its participating local districts and shall prepare and submit legislation for the implementation of this plan. The legislation shall be submitted no later than December 1, 1990.

See title page for effective date.

CHAPTER 78

S.P. 270 - L.D. 698

An Act to Clarify Certain Provisions in the Maine State Retirement System Laws

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

Sec. 1. 5 MRSA §17851, sub-§1, as amended by PL 1987, c. 256, §12, is further amended to read:

1. Member in service. A member who is in service when ~~he reaches~~ reaching 60 years of age, or is in service after reaching 60 years of age, qualifies for a service retirement benefit if the member:

A. Retires upon or after reaching 60 years of age; and

B. Has been in service for a minimum of one year immediately before retirement or has at least 10 years of creditable service, which may include creditable service as a member of the Maine Legislative Retirement System under Title 3, section 701, subsection 8, before becoming a member of the Maine State Retirement System; ~~and~~

Sec. 2. 5 MRSA §17851, sub-§2, as amended by PL 1987, c. 256, §13, is further amended to read:

2. Member not in service. A member who is not in service when ~~he reaches~~ reaching 60 years of age qualifies for a service retirement benefit if the member:

A. Retires upon or after reaching 60 years of age; and

B. Has at least 10 years of creditable service or 5 full terms as a Legislator, which may include creditable service as a member of the Maine Legislative Retirement System under Title 3, section 701, subsection 8, before becoming a member of the Maine State Retirement System; ~~and~~

Sec. 3. 5 MRSA §17906, sub-§2, ¶E, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

E. Any dispute about amounts paid or payable under worker's compensation, or about the amount of the lump-sum settlement and its ~~proportion~~ attributions shall be determined on petition, by a single member of the Workers' Compensation Commission, in