

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 10, 1996.

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## CHAPTER 643

H.P. 1238 - L.D. 1698

### An Act to Make Changes to the Disability Plans Administered by the Maine State Retirement System and to Establish a Process for Further Improvements

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Maine State Retirement System was directed by Private and Special Law 1995, chapter 38 to devise a proposed methodology and plan that would consolidate the disability plans currently administered by the Maine State Retirement System into a single pooled plan modeled after the plan set out in the Maine Revised Statutes, Title 5, chapter 423, subchapter V, article 3-A and chapter 425, subchapter V, article 3-A, and present that methodology and proposed legislation to the joint standing committee of the Legislature having jurisdiction over labor matters before adjournment of the Second Regular Session of the 117th Legislature; and

**Whereas,** interested parties to the single pooled plan have had inadequate time to understand and endorse the single plan idea; and

**Whereas,** the Board of Trustees of the Maine State Retirement System continually strives to make improvements in the administration of its disability plans; and

**Whereas,** Public Law 1993, chapter 595 directs the Maine State Retirement System to study and analyze the experience of the disability plans amended to meet the requirements of the federal Older Workers Benefit Protection Act and report possible options for compliance with the federal Older Workers Benefit Protection Act that protect benefits for employees without additional cost to the State and participating local districts; and

**Whereas,** provisions in the law establishing the benefit amount to be received by persons having elected to be covered under the retirement system disability plan applicable to the member as that plan was amended to meet the requirements of the federal Older Workers Benefit Protection Act will expire on June 30, 1996; and

**Whereas,** the benefit amount to be received by such persons after June 30, 1996 must be established beginning July 1, 1996; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 3 MRSA §734,** as enacted by PL 1985, c. 507, §1, is amended to read:

#### §734. Medical board

~~The Medical Board~~ A medical board of the Maine State Retirement System ~~shall be established in section 17106, subsection 1 is the Medical Board~~ medical board of the Maine Legislative Retirement System. The medical board shall arrange for and pass upon all medical examinations required under this chapter with respect to disability retirements and shall report; in writing to the executive director; its conclusions and recommendations upon all the matters referred to it. ~~If required, The board of trustees may designate other physicians may be employed to report on special~~ provide medical consultation on legislative disability cases.

**Sec. 2. 4 MRSA §1234,** as amended by PL 1983, c. 863, Pt. B, §§14 and 45, is further amended to read:

#### §1234. Medical board

~~The Medical Board~~ A medical board of the Maine State Retirement System ~~shall be established in section 17106, subsection 1 is the Medical Board~~ medical board of the Maine Judicial Retirement System. The medical board shall arrange for and pass upon all medical examinations required under this chapter with respect to disability retirements and shall report in writing to the Supreme Judicial Court; its conclusions and recommendations upon all the matters referred to it. ~~If required, The board of trustees may designate other physicians may be employed to report on special~~ provide medical consultation on judicial disability cases.

**Sec. 3. 4 MRSA §1353, sub-§2,** as amended by PL 1993, c. 595, §1, is further amended to read:

**2. Amount.** Until July 1, 1996, the amount of a disability retirement allowance is 59% of the member's average final compensation. ~~Any member entitled to this benefit who was serving as a judge on November 30, 1984 may elect to have that member's~~

~~disability benefits calculated in accordance with chapter 29, instead of this subsection. A member who is serving as a judge on October 16, 1992 may elect to be covered under the disability benefit plan applicable to the judge as that plan is amended to meet the requirements of the federal Older Workers Benefit Protection Act. The election must be made by the same procedure provided in Title 5, section 17941 for state employees.~~

**Sec. 4. 5 MRSA §17106**, as amended by PL 1989, c. 409, §§1, 2 and 12, is further amended to read:

#### §17106. Medical board

**1. Establishment.** The board shall designate a medical board or boards each to be composed of 3 physicians not eligible to participate in the retirement system.

**2. Other physicians.** ~~If required determined~~ advisable by the board, the board may designate other physicians may be employed to report provide medical consultation on special disability cases.

**3. Powers and duties.** ~~The medical board or other physician designated by the board shall, at the request of the executive director, review the file of each an applicant for disability retirement and as requested shall respond on any or all of the following:~~

A. Recommend an additional medical review in those instances where there are conflicting medical opinions;

B. Recommend additional medical tests to be performed on an applicant to obtain objective evidence of a permanent disability;

C. Assist the executive director in determining if a disability review of a recipient of a disability allowance is warranted;

D. Inform the executive director and board in writing of its view as to the existence of a disability entitling an applicant to benefits under chapter 423, subchapter V, articles 3 and 3-A, or chapter 425, subchapter V, articles 3 or 3-A; and

~~E. Make recommendations to~~ Advise the executive director and board to determine if rehabilitation services should be provided to at the request of either whether there are medical indications that a person who is the recipient of a disability retirement benefit under chapter 423, subchapter V, article 3-A or chapter 425, subchapter V, article 3-A should not engage in a rehabilitation program or whether a recipient is too severely disabled to benefit from rehabilitation in accordance with the purposes of chapter 423,

subchapter V, article 3-A or chapter 425, subchapter V, article 3-A.

**Sec. 5. 5 MRSA §17902**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

#### §17902. Application

~~In order to receive a benefit under this article:~~

**1. Written application.** ~~The In order to receive a benefit under this article, the person must apply in writing to the executive director in the format specified by the executive director; and.~~

A. The executive director shall obtain medical consultation on each applicant for disability retirement benefits in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter II-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be objective and be provided by a physician or physicians qualified to review the case by specialty or experience and to whom the applicant is not known.

**2. Approval.** The written application must be approved by the executive director.

**Sec. 6. 5 MRSA §17905**, as amended by PL 1993, c. 595, §7, is further amended to read:

#### §17905. Computation of benefit

~~Until July 1, 1996, when~~ When a member qualified under section 17904 retires, the member is entitled to receive a disability retirement benefit equal to 59% of the member's average final compensation. The 59% level must be reviewed for cost-neutral comparability as a part of the actuarial investigation provided under section 17107, subsection 2, paragraph E, beginning with the investigation made January 1, 1997 and every 6 years thereafter. The review that takes place every 6 years must compare actual experience under the disability plans with actuarial assumptions regarding election and costs of benefits under the new options elected and identify possible options for compliance with the federal Older Workers Benefit Protection Act that protect benefits for employees without additional cost to the State and participating local districts.

A member who by election remains covered, as to qualification for benefits, under section 17904 as written prior to its amendment by Public Law 1991,

chapter 887, section 4, is, when qualified under that section, entitled to receive a disability retirement benefit equal to 66 2/3% of the member's average final compensation.

**Sec. 7. 5 MRSA §17908**, as enacted by PL 1985, c. 801, §§5 and 7, is repealed.

**Sec. 8. 5 MRSA §17923**, as enacted by PL 1989, c. 409, §§8 and 12, is repealed.

**Sec. 9. 5 MRSA §17925, sub-§1, ¶A**, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

A. The executive director shall ~~submit the application and all pertinent medical and psychological information to the medical board for review as required by section 17106, subsection 3~~ obtain medical consultation on each applicant for disability in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter II-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be objective and be provided by a physician or physicians qualified to review the case by specialty or experience and to whom the applicant is not known.

**Sec. 10. 5 MRSA §17925, sub-§1, ¶B**, as enacted by PL 1989, c. 409, §§8 and 12, is repealed.

**Sec. 11. 5 MRSA §17926, first ¶**, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

Any examinations or tests recommended by the medical board in accordance with section 17106 or required by the executive director under section 17921, subsection 1, paragraph D; ~~section 17923, subsection 2~~; section 17924; section 17929, subsection 2, paragraph B; or section 17933, subsection 3, paragraph A, are governed as follows.

**Sec. 12. 5 MRSA §17927, first ¶**, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

~~Upon recommendations from the medical board, rehabilitation~~ Rehabilitation services shall must be provided to any person who is the recipient of a disability retirement benefit under this article whenever the executive director determines that rehabilitation is feasible, that rehabilitation is consistent with the purposes of this article and that the recipient is suitable for rehabilitation services. When necessary, determination of suitability must include consultation

with the medical board to determine any medical indications that the recipient should not engage in a rehabilitation program or to identify a recipient too severely disabled to benefit from rehabilitation services in accordance with the purposes of this article. Services shall must be provided by private and public rehabilitation counselors, government agencies and others approved by the executive director as qualified to provide rehabilitation services. The executive director shall consider a rehabilitation counselor's rate of successfully placing rehabilitated employees in jobs relative to the placement rates of other counselors in the State as fundamental in deciding whether to approve the counselor as qualified.

**Sec. 13. 5 MRSA §17927, sub-§4**, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

**4. Decline of rehabilitation.** ~~If, after recommendation by the medical board,~~ a person declines use of the rehabilitation services offered or refuses to agree to a rehabilitation plan approved by the executive director, the disability retirement benefit payments shall cease at the end of the month following the decline or refusal.

A. The executive director shall notify the person in writing of the decision to discontinue the disability retirement benefit.

B. The decision shall be is subject to appeal under section 17451.

C. If the person appeals the executive director's decision, the disability retirement allowance shall may not be discontinued until all appeals have been exhausted.

**Sec. 14. 5 MRSA §17928**, as amended by PL 1993, c. 595, §8, is further amended to read:

#### **§17928. Computation of benefit**

~~Until July 1, 1996, when~~ When a member qualified under section 17924 retires, after approval for disability retirement by the executive director in accordance with section 17925, the member is entitled to receive a disability retirement benefit equal to 59% of that member's average final compensation. The 59% level must be reviewed for cost-neutral comparability as a part of the actuarial investigation provided under section 17107, subsection 2, paragraph E, beginning with the investigation made January 1, 1997 and every 6 years thereafter. The review that takes place every 6 years must compare actual experience under the disability plans with actuarial assumptions regarding election and costs of benefits under the new options elected and identify possible options for compliance with the federal Older Workers Benefit

Protection Act that protect benefits for employees without additional cost to the State and participating local districts.

**Sec. 15. 5 MRSA §17929, sub-§2, ¶B**, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

B. The executive director may require, once each year, that the person undergo examinations or tests, conducted in accordance with section 17926, to determine the person's disability. The executive director may refer the records documenting the results of the examinations or tests and the person's file to the medical board for a ~~recommendation~~ medical consultation regarding rehabilitation in accordance with section 17106, subsection 3, paragraph E.

(1) After the disability has continued for 2 years, the disability must render the person unable to engage in any substantially gainful activity ~~which that~~ is consistent with the person's training, education or experience and average final compensation adjusted by the same percentage adjustment as has been received under section 17806. The disability retirement benefit ~~shall continue~~ continues if the person can effectively demonstrate to the executive director that the person is actively seeking work.

(2) If the person refuses to submit to the examinations or tests under this paragraph, the disability retirement benefit ~~shall be~~ is discontinued until that person withdraws the refusal.

(3) If the person's refusal under subparagraph (2) continues for one year, all rights to any further benefits under this article ~~shall~~ cease.

(4) If it is determined, on the basis of the examinations or tests under this paragraph, that the disability of a person no longer exists, the payment of the disability retirement benefit ~~shall cease~~ ceases.

(5) The executive director shall notify the person in writing of the decision to discontinue the disability retirement allowance under subparagraph (2) or (4)

(a) The decision ~~shall be~~ is subject to appeal under section 17451.

(b) If the person appeals the executive director's decision, the disability retirement allowance ~~shall~~

may not be discontinued until all appeals have been exhausted.

**Sec. 16. 5 MRSA §17941**, as enacted by PL 1991, c. 887, §10, is repealed.

**Sec. 17. 5 MRSA §18502**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

### **§18502. Application**

~~In order to receive a benefit under this article:~~

**1. Written application.** ~~The~~ In order to receive a benefit under this article, the person must apply in writing to the executive director in the format specified by the executive director; and,

A. The executive director shall obtain medical consultation on each applicant for disability retirement benefits in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter II-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be objective and be provided by a physician or physicians qualified to review the case by specialty or experience and to whom the applicant is not known.

**2. Approval.** The written application must be approved by the executive director.

**Sec. 18. 5 MRSA §18505**, as amended by PL 1993, c. 595, §11, is further amended to read:

### **§18505. Computation of benefit**

~~Until July 1, 1996, when~~ When a member qualified under section 18504 retires, the member is entitled to receive a disability retirement benefit equal to 59% of the member's average final compensation. The 59% level must be reviewed for cost-neutral comparability as a part of the actuarial investigation provided under section 17107, subsection 2, paragraph E, beginning with the investigation made January 1, 1997 and every 6 years thereafter. The review that takes place every 6 years must compare actual experience under the disability plans with actuarial assumptions regarding election and costs of benefits under the new options elected and identify possible options for compliance with the federal Older Workers Benefit Protection Act that protect benefits for employees without additional cost to the State and participating local districts.

**Sec. 19. 5 MRSA §18508**, as enacted by PL 1985, c. 801, §§5 and 7, is repealed.

**Sec. 20. 5 MRSA §18523**, as enacted by PL 1989, c. 409, §§11 and 12, is repealed.

**Sec. 21. 5 MRSA §18525**, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

**§18525. Application**

~~In order to receive a benefit under this article:~~

**1. Written application.** ~~The In order to receive a benefit under this article, the person must apply in writing to the executive director in the format specified by the executive director.~~

A. ~~The executive director shall submit the application and all pertinent medical and psychological information to the medical board for review as required by section 17106, subsection 3 obtain medical consultation on each applicant for disability in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter II-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be objective and be provided by a physician or physicians qualified to review the case by specialty or experience and to whom the applicant is not known.~~

B. ~~As required by section 17106, the medical board shall make a recommendation as to whether or not the member may be provided vocational rehabilitation services.~~

**2. Workers' compensation.** ~~If the incapacity upon which the application is based is a result of an injury or accident received in the line of duty, the application must include proof that the member has made application for benefits under the workers' compensation laws.~~

**3. Social security.** ~~If the employment for which creditable service with the employer is allowed was also covered under the United States Social Security Act, the application must include proof that the member has made application for benefits under this Act; and.~~

**4. Approval.** ~~The written application shall must be approved by the executive director upon finding that the member has met the requirements of section 18524.~~

**Sec. 22. 5 MRSA §18525, sub-§1, ¶B**, as enacted by PL 1989, c. 409, §§11 and 12, is repealed.

**Sec. 23. 5 MRSA §18526, first ¶**, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

Any examinations or tests recommended by the medical board in accordance with section 17106 or required by the executive director under section 18521, subsection 1, paragraph D; ~~section 18523, subsection 2;~~ section 18524; section 18529, subsection 2, paragraph B; or section 18533, subsection 3, paragraph A, are governed as follows.

**Sec. 24. 5 MRSA §18527, first ¶**, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

~~Upon recommendations from the medical board, rehabilitation~~ Rehabilitation services shall must be provided to any person who is the recipient of a disability retirement benefit under this article if the executive director determines that rehabilitation is feasible, that rehabilitation is consistent with the purposes of this article and that the recipient is suitable for rehabilitation services. When necessary, determination of suitability must include consultation with the medical board to determine any medical indications that the recipient should not engage in a rehabilitation program or to identify a recipient too severely disabled to benefit from rehabilitation services in accordance with the purposes of this article. Services ~~shall~~ must be provided by private and public rehabilitation counselors, government agencies and others approved by the executive director as qualified to provide rehabilitation services. The executive director shall consider a rehabilitation counselor's rate of successfully placing rehabilitated employees in jobs relative to the placement rates of other counselors in the State as fundamental in deciding whether to approve the counselor as qualified.

**Sec. 25. 5 MRSA §18527, sub-§4**, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

**4. Decline of rehabilitation.** ~~If, after recommendation by the medical board,~~ a person declines use of the rehabilitation services offered or refuses to agree to a rehabilitation plan approved by the executive director, the disability retirement benefit payments ~~shall~~ cease at the end of the month following the decline or refusal.

A. The executive director shall notify the person in writing of the decision to discontinue the disability retirement benefit.

B. The decision ~~shall be~~ is subject to appeal under section 17451.

C. If the person appeals the executive director's decision, the disability retirement allowance ~~shall~~ may not be discontinued until all appeals have been exhausted.

**Sec. 26. 5 MRSA §18528**, as amended by PL 1993, c. 595, §12, is further amended to read:

**§18528. Computation of benefit**

~~Until July 1, 1996, when~~ When a member qualified under section 18524 retires, after approval for disability retirement by the executive director in accordance with section 18525, the member is entitled to receive a disability retirement benefit equal to 59% of that member's average final compensation. The 59% level must be reviewed for cost-neutral comparability as a part of the actuarial investigation provided under section 17107, subsection 2, paragraph E, beginning with the investigation made January 1, 1997 and every 6 years thereafter. The review that takes place every 6 years must compare actual experience under the disability plans with actuarial assumptions regarding election and costs of benefits under the new options elected and identify possible options for compliance with the federal Older Workers Benefit Protection Act that protect benefits for employees without additional cost to the State and participating local districts.

**Sec. 27. 5 MRSA §18529, sub-§2, ¶B**, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

B. The executive director may require, once each year, that the person undergo examinations or tests, conducted in accordance with section 18526, to determine the person's disability. The executive director may refer the records documenting the results of the examinations or tests and the person's file to the medical board for a ~~recommendation~~ medical consultation regarding rehabilitation in accordance with section 17106, subsection 3, paragraph E.

(1) After the disability has continued for 2 years, the disability must render the person unable to engage in any substantially gainful activity ~~which~~ that is consistent with the person's training, education or experience and average final compensation adjusted by the same percentage adjustment as has been received under section 18407. The disability retirement benefit ~~shall continue~~ continues if the person can effectively demonstrate to the executive director that the person is actively seeking work.

(2) If the person refuses to submit to the examinations or tests under this paragraph, the disability retirement benefit ~~shall be~~ is

discontinued until that person withdraws the refusal.

(3) If the person's refusal under subparagraph (2) continues for one year, all rights to any further benefits under this article ~~shall~~ cease.

(4) If it is determined, on the basis of the examinations or tests under this paragraph, that the disability of a person no longer exists, the payment of the disability retirement benefit ~~shall cease~~ ceases.

(5) The executive director shall notify the person in writing of the decision to discontinue the disability retirement allowance under subparagraph (2) or (4).

(a) The decision ~~shall be~~ is subject to appeal under section 17451.

(b) If the person appeals the executive director's decision, the disability retirement allowance ~~shall~~ may not be discontinued until all appeals have been exhausted.

**Sec. 28. 5 MRSA §18541**, as enacted by PL 1991, c. 887, §18, is repealed.

**Sec. 29. Committee to Study Disability Retirement.** The Committee to Study Disability Retirement, referred to in this section as the "study committee," is established to examine the single pooled disability plan concept and other changes to the disability plans administered by the Maine State Retirement System.

**1. Membership.** The study committee consists of 9 members: one member from the Maine State Employees Association; one member from the Maine Education Association; one member of the American Federation of State, County and Municipal Employees; one member of the American Federation of Teachers; one member of the Maine State Troopers Association; one member from the Maine School Management Association; one member from the Maine State Retirement System; and 2 members appointed by the Governor to represent the interests of the State with respect to disability plans for state employees and teachers.

**2. Convening; chair.** When all the members have been appointed, the Chair of the Legislative Council shall convene the first meeting. The members shall select a chair from among the membership.

**3. Compensation.** Members are not entitled to compensation.



**4. Retirement system; support.** The Maine State Retirement System is responsible for scheduling meetings, obtaining actuarial information when necessary, providing general staff support, drafting proposed legislation and distributing the report.

**5. Charge; report.** The study committee shall issue a report to the joint standing committee of the Legislature having jurisdiction over retirement matters by February 15, 1997, including appropriate draft legislation. Following receipt of the study committee's report, the legislative committee may introduce legislation to the First Regular Session of the 118th Legislature. The study committee shall consider, without limitation, the following issues:

A. A methodology and plan that would consolidate the disability plans currently administered by the Maine State Retirement System into a single pooled plan modeled after the plan set out in the Maine Revised Statutes, Title 5, chapter 423, subchapter V, article 3-A;

B. Whether or not the disability plan or plans should retain limits on the amount recipients can earn while receiving disability benefits;

C. Whether or not the plan should retain the "actively seeking work" exemption from discontinuance of benefits;

D. Whether or not payment of benefits should continue when a recipient appeals beyond the administrative appeals process a decision to discontinue the recipient's benefits;

E. Whether or not provisions should be added to the disability plans restricting payment of benefits for misconduct-related disability or during incarceration;

F. Whether or not provisions should be added to the disability plan or plans that distinguish between recipients who become disabled in the line of duty and those who do not;

G. Whether or not an applicant for a disability retirement benefit based on a condition that pre-existed membership in the Maine State Retirement System must have 5 years of continuous service immediately prior to application for a benefit or may have 5 years of continuous service anytime after the condition arises and before application; and

H. Whether any of the recommendations of the study committee will affect the unfunded liability of the Maine State Retirement System.

The proposed legislation must address all of the issues set out in paragraphs A to F so that the legislative

committee and the Legislature are presented the full range of views on the policy matters involved in these issues. If there is not agreement among study committee members, on any of the issues, members advocating particular policy positions on all sides of the issue or issues shall provide the legislative committee with an explanation of their policy positions and the reasons that are the basis for their positions.

**6. Participating local districts.** With respect to the interest of participating local districts in the issues in subsection 5 and in such related issues as may impact participating local districts, the Participating Local District Advisory Committee established under the Maine Revised Statutes, Title 5, section 18802 shall serve as the study committee for those participating local districts in the consolidated retirement plan for participating local districts. The Participating Local District Advisory Committee shall report to the joint standing committee of the Legislature having jurisdiction over retirement matters at the same time and in the same manner as provided in subsection 5. The Maine State Retirement System has the same staff support role with this study committee as with the Committee to Study Disability Retirement. The Participating Local District Advisory Committee may not take up these issues until after July 1, 1996. The Maine State Retirement System shall also inform those participating local districts that are not in the consolidated retirement plan and that have members who are then receiving disability benefits or who continue to be covered under retirement system disability programs by virtue of continuing to be contributing members of the retirement system of the issues under discussion that would affect those participating local districts.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 10, 1996.

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## CHAPTER 644

H.P. 1266 - L.D. 1741

**An Act to Enable the Loring  
Development Authority to Establish  
the Loring Job Increment Financing  
Fund and to Impose Term Limits on  
Trustees of the Authority**

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

**Sec. 1. 5 MRSA §13080-B, sub-§7 is  
enacted to read:**