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Date: (Filing No. S-)

LABOR

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 879, L.D. 2169, “An Act to Improve the Public Employees Disability Retirement Program by Modifying Provisions Controlling the Reduction of Benefits and Clarifying Terminology”

Amend the bill in section 6 in §17906 in subsection 1-A in the first blocked paragraph in the first line (page 2, line 32 in L.D.) by striking out the following: "may" and inserting the following: 'shall'

Amend the bill in section 12 in §17930-A in subsection 2 in paragraph A in the first line (page 4, line 29 in L.D.) by striking out the following: "may" and inserting the following: 'shall'

Amend the bill in section 19 in §18506 in subsection 1-A in the first blocked paragraph in the first line (page 7, line 30 in L.D.) by striking out the following: "may" and inserting the following: 'shall'

Amend the bill in section 26 in §18530-A in subsection 2 in paragraph A in the first line (page 9, line 38 in L.D.) by striking out the following: "may" and inserting the following: 'shall'

Amend the bill by inserting after section 27 the following:

'Sec. 28. Existing debt due to excess compensation before effective date of this Act. An individual who is required to reimburse the Maine Public Employees Retirement System for any excess payments due to the receipt of excess compensation from employment under the Maine Revised Statutes, Title 5, section 17906, subsection 1; section 17930; section 18506, subsection 1; and section 18530 as of the effective date of this Act is no longer obligated to reimburse the Maine Public Employees Retirement System for that debt beginning on the effective date of this Act.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment requires the chief executive officer of the Maine Public Employees Retirement System to waive the reduction in the amount that a person’s disability retirement benefits must be reduced when the person receives compensation in any year from engaging in any gainful activity or from employment if the person demonstrates that the excess compensation has ceased and that continuing the reduction would cause a hardship.

The amendment also provides that any person required to reimburse the Maine Public Employees Retirement System for any excess payments due to the receipt of excess compensation from employment under current law as of the effective date of this legislation does not have to pay that reimbursement.

FISCAL NOTE REQUIRED

(See attached)