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LABOR AND HOUSING

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 479, L.D. 1152, “An Act to Make Long-term Disability Insurance Coverage Available to Public Employees”

Amend the bill by striking out the title and substituting the following:

'An Act to Require Public Employers to Provide Long-term Disability Insurance Coverage'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §18101, as enacted by PL 2017, c. 378, §1, is amended to read:

§18101. Long-term disability insurance coverage ~~authorized~~ required

The Beginning July 1, 2025, the board may shall offer long-term disability insurance coverage to members through their employer and may contract with one or more insurance companies to provide this coverage. An employer shall provide the long-term disability insurance coverage or substantially equivalent coverage from another source to the employer's employees who are members.

1. Premiums. All premiums and any other amounts due to an insurance company or other 3rd party in connection with coverage offered by the board or provided by the employer under this subchapter must be borne by the ~~covered person, the covered person's employer or both the covered person and the covered person's employer.~~

1-A. Benefits. The coverage offered by the board or provided by the employer under this subchapter must provide for a monthly benefit payment amount of not more than \$8,000 and not less than \$100, including applicable offsets. The monthly benefit payment must be in an amount to replace:

A. For a member who would receive a disability retirement benefit equal to 59% of the member's average final compensation if qualified for disability retirement benefits, 59% of the covered member's income from the employer providing the coverage; or

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1 B. For a member who would receive a disability retirement benefit equal to 66 2/3%
2 of the member's average final compensation if qualified for disability retirement
3 benefits, 66 2/3% of the covered member's income from the employer providing the
4 coverage.

5 **2. Rules.** The board may adopt rules to implement this subchapter. Rules adopted
6 pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter
7 2-A.

8 **3. Costs.** The State shall pay 100% of the costs of the premiums and any other amounts
9 due to an insurance company or other 3rd party in connection with coverage offered by the
10 board or provided by the employer under this section.

11 **Sec. 2. 5 MRSA §18701**, as enacted by PL 2017, c. 378, §2, is amended to read:

12 **§18701. Long-term disability insurance coverage ~~authorized~~ required**

13 The ~~Beginning July 1, 2025,~~ the board ~~may~~ shall offer long-term disability insurance
14 coverage to members and employees who choose not to become members but participate
15 in the defined contribution plan pursuant to section 18801, subsection 1 through their
16 employer and may contract with one or more insurance companies to ~~provide~~ offer this
17 coverage. An employer shall provide the long-term disability insurance coverage or
18 substantially equivalent coverage from another source to the employer's employees who
19 are members or participants in the defined contribution plan pursuant to section 18801,
20 subsection 1.

21 **1. Premiums.** All premiums and any other amounts due to an insurance company or
22 other 3rd party in connection with coverage offered by the board or provided by the
23 employer under this subchapter must be borne by the ~~covered person,~~ the covered person's
24 employer ~~or both the covered person and the covered person's employer.~~

25 **1-A. Benefits.** The coverage offered by the board or provided by the employer under
26 this subchapter must provide for a monthly benefit amount of not more than \$8,000 and
27 not less than \$100, including applicable offsets. The monthly benefit payment must be in
28 an amount to replace:

29 A. For a member or a participant who would receive a disability retirement benefit
30 equal to 59% of the member's or participant's average final compensation if qualified
31 for disability retirement benefits, 59% of the member's or participant's income from the
32 employer providing the coverage;

33 B. For a member or a participant who would receive a disability retirement benefit
34 equal to 60% of the member's or participant's annual compensation if qualified for
35 disability retirement benefits, 60% of the member's or the participant's income from
36 the employer providing the coverage; or

37 C. For a member or a participant who would receive a disability retirement benefit
38 equal to 66 2/3% of the member's or the participant's average final compensation if
39 qualified for disability retirement benefits, 66 2/3% of the member's or the participant's
40 income from the employer providing the coverage.

41 **2. Rules.** The board may adopt rules to implement this subchapter. Rules adopted
42 pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter
43 2-A.

