

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

S.P. 646 - L.D. 1638

**An Act Regarding Disability Retirement Benefits Under the Maine Public
Employees Retirement System**

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

Sec. 1. 5 MRSA §17906, sub-§2, ¶A, as amended by PL 1991, c. 885, Pt. E, §8 and affected by §47, is further amended to read:

A. The amount of any disability retirement benefit payable under this article must be reduced by any amount received by the beneficiary for the same disability under ~~either~~ ~~or both~~ of the following:

(1) The worker's compensation or similar law, except amounts that may be paid or payable under former Title 39, section 56-B or Title 39-A, section 212, subsection 3; ~~or~~;

~~(2) The United States Social Security Act, if the employment for which creditable service with the employer is allowed was also covered under that Act at the date of disability retirement.~~

Sec. 2. 5 MRSA §17925, sub-§3, as amended by PL 2015, c. 392, §1, is repealed.

Sec. 3. 5 MRSA §18525, sub-§3, as amended by PL 1995, c. 643, §21, is repealed.

Sec. 4. 5 MRSA §18530, sub-§4, ¶A, as amended by PL 1991, c. 885, Pt. E, §15 and affected by §47, is further amended to read:

A. The amount of any disability retirement benefit payable under this article must be reduced by any amount received by the person for the same disability under ~~either~~ ~~or both~~ of the following:

(1) The workers' compensation or similar laws, except amounts that may be paid or payable under former Title 39, section 56-B or Title 39-A, section 212, subsection 3; ~~or~~;

~~(2) The United States Social Security Act, if the employment for which creditable service with the employer is allowed was also covered under that Act at the date of disability retirement.~~

Sec. 5. Retroactivity; payment of benefits and interest. This Act applies retroactively to January 1, 2024 for a person who was receiving disability retirement benefits under the Maine Public Employees Retirement System as of December 31, 2024 if those disability retirement benefits were reduced because the person received disability retirement benefits under the United States Social Security Act. A person affected by this Act must be paid the difference between:

1. The amount of disability retirement benefits, including any cost-of-living adjustments, the person would have received absent any reduction to such benefits due to the receipt of disability retirement benefits under the United States Social Security Act; and
2. The amount of disability retirement benefits the person actually received.

The person must be paid the difference with interest accruing from January 1, 2024 to the date the payment is made pursuant to this section. The rate of interest must be 6.5%.