MainePERS
PUBLIC EMPLOYEES RETIREMENT SYSTEM

DATE: April 6, 2023

TO: Senator Michael Tipping, Chair
            Representative Amy Roeder, Chair
            Members, Joint Standing Committee on Labor and Housing

FROM: Kathy J. Morin, Director, Actuarial and Legislative Affairs

SUBJECT: Testimony on L.D. 1123 – An Act to Create a Presumption That a Cardiovascular
            Injury or Disease or Pulmonary Disease Suffered by Certain law Enforcement
            Officers Is in the Course of Employment

Good afternoon, Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor and Housing. My name is Kathy Morin, and I am the Director of Actuarial and Legislative Affairs for the Maine Public Employees Retirement System.

MainePERS is neither for nor against L.D. 1123. We are here to provide information and offer any assistance the Committee might need regarding this bill.

It is unclear to us what is intended by Section 1 of the bill. It appears to establish a presumption under MainePERS disability laws for law enforcement officers with certain injuries or diseases. However, MainePERS disability retirement benefit eligibility does not distinguish between work and non-work related conditions so presuming that a disability is incurred in the line of duty has no bearing on eligibility determinations. Further, the language as drafted amends a section of MainePERS law that is associated with a disability program that is no longer applicable to active members who might apply for a disability retirement benefit in the future.

Once we better understand the issue that L.D. 1123 is trying to address, we would be happy to work with the sponsor and the Committee in determining ways to address the issue.

Thank you for your consideration of this testimony. I would be happy to answer your questions and will be available at your work session.

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