

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. 6 FY 04/05  
6 FY 04/05  
DATE September 26, 2003

**AN ORDER ESTABLISHING THE WORKING GROUP TO IDENTIFY AND  
PRIORITIZE OPTIONS TO RESOLVE INEQUITIES IN THE RETIREMENT  
BENEFITS OF STATE EMPLOYEES AND TEACHERS**

**WHEREAS**, a state law effective July 1, 1993 disparately affected State of Maine personnel and teachers in the State before, within ten years of, and after that effective date with regard to matters related to retirement from State service; and

**WHEREAS**, since the passage of that law, attempts to remedy the inequitable effect of the law have been futile because of fiscal limitations; and

**WHEREAS**, a "Final Report" issued in December 2002 by the Office of Policy and Legal Analysis (OPLA) accounts for effects of the 1993 law and offers options to make benefits to State employees and teachers more uniform; and

**WHEREAS**, the Administration appreciates the value and insights of the OPLA report, and is committed to acting further to explore and consider measures to resolve the inequities caused under current statute:

**NOW, THEREFORE**, I, John E. Baldacci, Governor of the State of Maine, do hereby establish the WORKING GROUP TO IDENTIFY AND PRIORITIZE OPTIONS TO RESOLVE INEQUITIES IN THE RETIREMENT BENEFITS OF STATE EMPLOYEES AND TEACHERS (hereinafter, "Working Group").

**Mission**

The mission of the Working Group is to develop a strategy by which inequities created by the 1993 law may be resolved effectively and responsibly. By using the 2002 OPLA Final Report, the Working Group will formulate a plan that prioritizes and provides options regarding effective means to remedy those disparities, so that the Legislature could use that plan should it make resolving all or part of the resulting disparities a funding priority and opt to take legislative action to address the effects of the 1993 law.

**Organization of the Working Group**

The Working Group shall be composed of three (3) members appointed by, and serving at the pleasure of, the Governor. The members shall represent the following organizations:

- One (1) member from the Maine Education Association (MEA)
- One (1) member from the Maine State Employees Association (MSEA)
- One (1) member of the American Federation of State, County, and Municipal Employees (AFSCME)

In addition, the Speaker of the Maine House of Representatives and the President of the Maine Senate both may appoint one (1) member to the Working Group, respectively. The Director of the State of Maine Bureau of Human Resources shall serve on the Working Group in an *ex officio* capacity, and will be responsible for convening the first meeting of the Working Group.

The Working Group may select a Chair.

The members of the Working Group shall serve without compensation. Any State employee appointed by an employee organization shall suffer no loss of pay or benefits during participation in meetings held during their regularly scheduled workdays and hours.

#### **Deadline for Submission of the Prioritization Plan**

The Working Group shall submit its prioritization plan, along with any recommendations to facilitate successful execution of the plan, to the Governor on or before January 1, 2004. After submission of the plan to the Governor, the Working Group, and the authority of this Executive Order, will dissolve.

#### **Meeting**

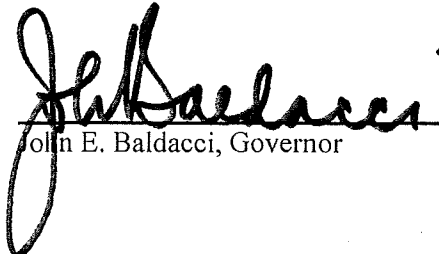
The Working Group shall meet as often as necessary to complete its mission. All meetings shall be open to the public and held in locations determined by the Working Group.

#### **Staffing**

The Department of Administrative and Financial Services shall provide staff to the Working Group and may employ additional staff if resources permit.

#### **Effective Date**

The effective date of this Executive Order is September 26, 2003.

  
John E. Baldacci, Governor