

MAINE STATE LEGISLATURE

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(Emergency)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1517

S.P. 500 In Senate, May 11, 1987
Submitted by the Department of Administration pursuant to
Joint Rule 24.

Referred to the Committee on Banking and Insurance and
ordered printed. Sent down for concurrence.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator TUTTLE of York.

Cosponsored by Senator GOULD of Waldo, Representative
WENTWORTH of Wells.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Clarify Eligibility for the Group
2 Accident and Sickness or Health
3 Insurance Program.
4

5 **Emergency preamble.** Whereas, Acts of the Legis-
6 lature do not become effective until 90 days after
7 adjournment unless enacted as emergencies; and

8 Whereas, the United States Consolidated Omnibus
9 Budget Reconciliation Act of 1985 extended for a lim-
10 ited period the rights for health insurance coverage
11 to certain former employees; and

12 Whereas, Maine laws now require an adjustment s
13 that state employee eligibility for health insurance
14 coverage into retirement continues to be based on a

1 direct transition from employment status to retire-
2 ment status; and

3 Whereas, in the judgment of the Legislature,
4 these facts create an emergency within the meaning of
5 the Constitution of Maine and require the following
6 legislation as immediately necessary for the preser-
7 vation of the public peace, health and safety; now,
8 therefore,

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

11 Sec. 1. 5 MRSA §285, sub-§1, ¶C, as enacted by
12 PL 1983, c. 692, §1, is repealed.

13 Sec. 2. 5 MRSA §285, sub-§1, ¶G, as amended by
14 PL 1985, c. 695, §§6 and 7, and c. 609, is repealed
15 and the following enacted in its place:

16 G. Subject to subsection 1-A, employees in any
17 of the categories denominated in paragraphs A to
18 F-1 who:

19 (1) On April 26, 1968, have retired and who
20 were covered under plans of insurance which
21 by virtue of Public Law 1967, chapter 543,
22 were terminated;

23 (2) After April 26, 1968, retire and who on
24 the date of their retirement are currently
25 enrolled in this group accident and sickness
26 or health insurance plan as an employee;

27 (3) After December 2, 1986, and after
28 reaching normal retirement age, cease to be
29 members of the Legislature and are recipi-
30 ents of retirement allowances from the Maine
31 State Retirement System based upon credit-
32 able service as teachers, as defined by sec-
33 tion 1001, subsection 25. This paragraph
34 shall also apply to former members who were
35 members on December 2, 1986; or

36 (4) After December 2, 1986, and not yet
37 normal retirement age, cease to be members

1 of the Legislature and are recipients of re-
2 irement allowances from the Maine State Re-
3 irement System based upon creditable ser-
4 vice as teachers, as defined by section
5 1001, subsection 25. This paragraph also
6 applies to former members who were members
7 on December 2, 1986.

8 **Sec. 3. 5 MRSA §285, sub-§1-A, ¶B, as amended by**
9 **PL 1985, c. 391, §§2 and 7, is further amended to**
10 **read:**

11 B. If not retiring on a disability retirement,
12 have participated, as an employee, in the group
13 accident and sickness or health insurance plan
14 for at least one year immediately prior to re-
15 tirement; or

16 **Emergency clause.** In view of the emergency cited
17 in the preamble, this Act shall take effect when ap-
18 proved.

19 **STATEMENT OF FACT**

20 The eligibility section of the state employee
21 health insurance laws is being amended to exclude em-
22 ployees of the Maine State Employees' Credit Union.
23 These employees terminated from the State's group
24 health insurance plan on June 1, 1986, and are now
25 insured elsewhere.

26 The retirement eligibility section of the state
27 employee health insurance laws is being amended to
28 ensure that current health insurance eligibility re-
29 quirements will be maintained, providing health in-
30 surance coverage only for those employees who go di-
31 rectly from employment to retirement. The change is
32 necessary due to the recently enacted Consolidated
33 Omnibus Budget Reconciliation Act of 1985 (COBRA).

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