

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1187, L.D. 1610, Bill, "An Act to Clarify the Legal Status of Employees of the Governor Baxter School for the Deaf"

Amend the bill in section 1 by striking out all of paragraph A-1 (page 1, lines 19 to 22 in L.D.) and inserting in its place the following:

'A-1. Any employee of the Governor Baxter School for the Deaf, unless a different health program is established by collective bargaining agreement or otherwise consistent with applicable law;'

Further amend the bill in section 2 in subsection 40 in the 5th to 7th lines (page 1, lines 31 to 33 in L.D.) by striking out the following: "unless a binding agreement signed by the employer and the employee or the employee's representative otherwise provides" and inserting in its place the following: ', except as provided in Title 20-A, section 7407, subsection 3-A.'

Further amend the bill by inserting after section 2 the following:

**'Sec. 3. 20-A MRSA §7407, sub-§3-A is enacted to read:**

**3-A. Employee retirement plan.** Employees of the school are state employees for purposes of Title 5, chapters 421 and 423, unless a decision is made pursuant to a collective bargaining agreement or is otherwise made consistent with applicable law other than Title 5, section 18201 to provide for retirement coverage in some way other than as state employees in the Maine State Retirement System regular retirement plan. The school

**COMMITTEE AMENDMENT**

2 board shall consult with the Executive Director of the Maine  
3 State Retirement System in proposing any change to the Maine  
4 State Retirement System retirement status of school employees.  
5 The school board shall provide certification to the Maine State  
6 Retirement System of any decision to provide retirement coverage  
7 in some way other than as state employees at least 60 days prior  
8 to any change in retirement coverage. Any decision that removes  
9 school employees from the definition of "state employee" as  
10 provided in Title 5, section 17001, subsection 40 is irrevocable  
11 unless changed by law.'

12 Further amend the bill in section 3 in subsection 5 in the  
13 2nd blocked paragraph by striking out all of the first underlined  
14 sentence (page 2, lines 14 to 17 in L.D.)

16 Further amend the bill in section 3 in subsection 5 in the  
17 2nd blocked paragraph in the 7th line (page 2, line 20 in L.D.)  
18 by inserting after the following: "and" the following: 'the  
19 applicable executive branch'

20 Further amend the bill by relettering or renumbering any  
21 nonconsecutive Part letter or section number to read  
22 consecutively.

## 26 SUMMARY

28 This amendment clarifies when the health insurance and  
29 retirement status of employees of the Governor Baxter School for  
30 the Deaf may be changed.