

# MAINE STATE LEGISLATURE

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L.D. 1970

DATE: 3-6-02

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**LABOR**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1469, L.D. 1970, Bill, "An Act to Clarify the Status of Retirees Who Return to Service Under the Maine State Retirement System"

Amend the bill by inserting after the title and before the enacting clause the following:

**'Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.'

Further amend the bill in section 1 in that part designated "Sec. 5." in the 10th line from the end (page 1, line 26 in L.D.) by inserting after the following: "plan." the following: 'A recipient of a service retirement benefit under the Maine State Retirement System who is a retired teacher and who returns to work as a teacher under this Act is eligible for coverage under the group health insurance plan for active teachers in the school administrative unit in which newly employed.'

Further amend the bill by inserting at the end before the summary the following:

R. 215.

**FISCAL NOTE**

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This bill requires school administrative units to allow retired teachers who have returned to work to be eligible for coverage under the group health insurance plan for active teachers in the school administrative unit in which that teacher is working. The additional costs of this state mandate can not be determined at this time. Pursuant to the Mandate Preamble, the 2/3 vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

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The State Employee Health Plan will realize some minor savings from allowing retired teachers who return to work to choose active health plan status. These savings can not be quantified.'

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**SUMMARY**

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This amendment clarifies that a retired teacher who returns to work as a teacher under the provision of Public Law 2001, chapter 442 is eligible to participate in the group health insurance plan for active teachers in the school administrative unit in which that teacher is working. The amendment does not affect the ability of a retired teacher, if it is acceptable to the teacher and the new employer, to remain in the group health insurance plan under which that teacher retired pursuant to the Maine Revised Statutes, Title 20-A, section 13451, including state payment of a percentage of the cost of that teacher's health insurance premium. The amendment also adds a mandate preamble and a fiscal note to the bill.