

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1970

H.P. 1469

House of Representatives, December 20, 2001

**An Act to Clarify the Status of Retirees Who Return to Service Under
the Maine State Retirement System.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 17, 2001. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative NORTON of Bangor.
Cosponsored by Senator EDMONDS of Cumberland and
Representatives: CUMMINGS of Portland, DAVIS of Falmouth, HUTTON of Bowdoinham,
MATTHEWS of Winslow, PARADIS of Frenchville, SULLIVAN of Biddeford,
TARAZEWICH of Waterboro, Senator: SAWYER of Penobscot.

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

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Sec. 1. PL 2001, c. 442, §5 is amended to read:

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Sec. 5. Status of employees who have retired and returned to covered employment under the Maine State Retirement System. Notwithstanding the Maine Revised Statutes, Title 5, section 17651, and, except as provided in Title 5, section 17857, subsection 2, recipients of a service retirement benefit from the Maine State Retirement System who have returned to covered employment under the retirement system in a position that would otherwise be covered by the retirement plan for state employees and teachers may not contribute to the retirement system, do not earn creditable service for their employment after retirement and do not earn any additional retirement benefits as a result of that employment. They may participate in other retirement options available to similar employees, including the state program of tax-deferred arrangements under Title 5, chapter 67, at the discretion of their employer. For purposes of participation in the state employee health insurance program pursuant to the Maine Revised Statutes, Title 5, section 285 or in dental health insurance coverage offered by the State, recipients of a service retirement benefit under the Maine State Retirement System who are retired state employees and who are reemployed as state employees must be treated as retirees under section 285, subsection 1-A for purposes of eligibility for coverage under the group plan. For purposes of participation in the group accident and sickness or health insurance for retired teachers pursuant to Title 20-A, section 13451, a recipient of a service retirement benefit under the Maine State Retirement System who is a retired teacher who returns to work under this Act is eligible upon ceasing work to return to coverage under the group health insurance plan in effect for active teachers in the school unit from which the teacher originally retired, including state payment of a percentage of the premium cost under section 13451.

SUMMARY

This bill clarifies that a retired teacher who returns to work under Public Law 2001, chapter 442 is eligible upon ceasing work to return to coverage under the group health insurance plan in effect for active teachers in the school unit from which the teacher originally retired, including state payment of a percentage of the premium cost under the Maine Revised Statutes, Title 20-A, section 13451.