

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 962

H.P. 672

House of Representatives, February 24, 2005

### **An Act To Codify Unallocated Law Regarding the Maine State Retirement System**

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Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Reference to the Committee on Labor suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative TUTTLE of Sanford.

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

4 **Sec. 1. 5 MRSA §285, sub-§1-C is enacted to read:**

6 1-C. Status of employees who have retired and returned to  
8 covered employment under Maine State Retirement System. For  
10 purposes of participation in the state employee health insurance  
12 program pursuant to this section or in dental insurance coverage  
14 offered by the State, recipients of a service retirement benefit  
16 under the Maine State Retirement System who are retired state  
18 employees and who are reemployed as state employees must be  
20 treated as retirees under subsection 1-A for purposes of  
22 eligibility for coverage under the group plan.

24 **Sec. 2. PL 2001, c. 442, §5 is amended to read:**

26 **Sec. 5. Status of employees who have retired and returned to covered**  
28 **employment under the Maine State Retirement System.** Notwithstanding  
30 the Maine Revised Statutes, Title 5, section 17651, and, except  
32 as provided in Title 5, section 17857, subsection 2, recipients  
34 of a service retirement benefit from the Maine State Retirement  
36 System who have returned to covered employment under the  
38 retirement system in a position that would otherwise be covered  
40 by the retirement plan for state employees and teachers may not  
42 contribute to the retirement system, do not earn creditable  
44 service for their employment after retirement and do not earn any  
46 additional retirement benefits as a result of that employment.  
48 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.~~

## SUMMARY

42 This bill moves certain language referring to the status of  
44 employees who have retired and returned to covered employment  
46 under the Maine State Retirement System from Public Law 2001,  
48 chapter 442, section 5 to the Maine Revised Statutes, Title 5,  
chapter 13, subchapter 2, which concerns the state employee  
health insurance program.