

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2098

H.P. 1491

House of Representatives, April 4, 2006

**An Act Authorizing Participation in the State Group Health Plan
for Retiring Legislators**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BOWLES of Sanford.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: McFADDEN of Dennysville, MILLETT of Waterford, Speaker
RICHARDSON of Brunswick, TARDY of Newport, Senators: BARTLETT of Cumberland,
President EDMONDS of Cumberland.

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

2 **Sec. 1. 5 MRSA §285, sub-§1, ¶G,** as amended by PL 2001, c. 439, Pt. XX, §2,
3 is further amended to read:

4 G. Subject to subsection 1-A, employees in any of the categories denominated in
5 paragraphs A to F-1 and paragraph F-3 who:

6 (1) On April 26, 1968, have retired and who were covered under group health
7 plans that by virtue of Public Law 1967, chapter 543 were terminated;

8 (2) After April 26, 1968, retire and who on the date of their retirement are
9 currently enrolled in this group health plan as employees;

10 (3) After December 2, 1986, and after reaching normal retirement age, cease to
11 be members of the Legislature and are recipients of retirement allowances from
12 the Maine State Retirement System based upon creditable service as teachers, as
13 defined by section 17001, subsection 42. This paragraph also applies to former
14 members who were members on December 2, 1986;

15 (4) After December 2, 1986, and not yet normal retirement age, cease to be
16 members of the Legislature and are recipients of retirement allowances from the
17 Maine State Retirement System based upon creditable service as teachers, as
18 defined by section 17001, subsection 42. This paragraph also applies to former
19 members who were members on December 2, 1986; ~~or~~

20 (5) After January 1, 1999, terminate employment under which they were
21 eligible for the group health plan but do not retire at that time and who satisfy the
22 requirements of subsection 1-A, paragraph D or paragraph E; or

23 (6) After January 1, 2006, and after reaching normal retirement age, cease to be
24 members of the Legislature;

25 **Sec. 2. 5 MRSA §285, sub-§1-A, ¶F** is enacted to read:

26 F. If eligibility is based on subsection 1, paragraph G, subparagraph (6), have
27 participated in the plan or elect to join or rejoin the plan. For purposes of determining
28 the retiring Legislator's pro rata share of the premiums under subsection 7, a retiring
29 Legislator may retroactively contribute an amount equal to what the retiree's pro rata
30 share of the premium would have been for any period of time not to exceed the
31 number of years the retiree served in the Legislature. This paragraph may not be
32 construed to create any entitlement or right to reimbursement of any health care
33 expenditure incurred by the retiring Legislator during the period in which the retiree
34 did not participate in the plan but for which the retiree may be making retroactive
35 contributions.

36 **SUMMARY**

37 Under this bill, any Legislator who reaches normal retirement age and retires from
38 the Legislature may be covered under the state group health plan regardless of whether or
39 not the Legislator participated in a retirement system administered by the Board of
40 Trustees of the Maine State Retirement System. The bill provides for retroactive pro rata

1 payment of the amount of contributions the Legislator would have made if covered under
2 the plan.