

# MAINE STATE LEGISLATURE

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Date: 5/31/7

**LABOR**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 258, L.D. 323, Bill, "An Act Permitting Substitute Teachers To Opt Out of the Maine State Retirement System"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 5 MRSA §17652, sub-§2, as amended by PL 2003, c. 261, §§1 and 2, is further amended to read:

**2. Delayed election of membership.** A person, including a substitute teacher, who elects not to join the retirement system at the beginning of his that person's employment may at any time apply for and be admitted to membership.

A-1. A person who joins the retirement system under this subsection may purchase service credit for the period during which the person served as an elected official or official appointed for a fixed term or was employed as a substitute teacher but was not a member of the retirement system.

B. Membership service credit for persons joining the retirement system under this subsection ~~shall begin~~ begins as of the effective date of first contributions or pick-up contributions to the system.

C. This subsection applies to any member who begins membership after December 31, 1985.'

Amend the bill in section 2 in subsection 6 in the 2nd line (page 1, line 10 in L.D.) by striking out the following: "public school"

Amend the bill in section 2 in subsection 6 in the 2nd line (page 1, line 10 in L.D.) by inserting after the following: "teachers." the following: 'The right of a substitute teacher to rejoin the retirement system is limited to 2 occurrences.'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 5 MRSA §17704-A, first ¶, as amended by PL 2003, c. 261, §6, is further amended to read:

**COMMITTEE AMENDMENT**

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 258, L.D. 323

1 An elected official or, an official appointed for a fixed term or a substitute teacher  
2 who began membership after December 31, 1985 may purchase service credit for the  
3 period during which that person elected not to be a member of the retirement system if  
4 the following requirements are met.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
6 section number to read consecutively.

7 **SUMMARY**

8 This amendment adds provisions to the bill similar to those governing municipal  
9 employees regarding the purchase of creditable service and rejoining the Maine State  
10 Retirement System. The amendment allows substitute public school teachers to rejoin the  
11 retirement system 2 times.

12 **FISCAL NOTE REQUIRED**

13 (See attached)



*R. of S*

# 123rd MAINE LEGISLATURE

LD 323

LR 480(02)

## An Act Permitting Substitute Teachers To Opt Out of the Maine State Retirement System

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Labor

Fiscal Note Required: Yes

### Fiscal Note

Potential future biennium savings - General Fund  
Potential cost increase to school administrative units

#### Fiscal Detail and Notes

Since the State funds 100% of the employers' share of teacher retirement costs, this legislation may result in potential savings to the State if substitute public school teachers opt out of the Maine State Retirement System. The amount of savings can not be determined at this time and will depend on the number of substitute teachers who decline membership in the System.

However, this legislation may result in increased costs to school administrative units as employers of substitute teachers who opt out of the Maine State Retirement System for the employers' share of the required Social Security contributions or other alternative retirement plan. The impact to individual school units can not be determined at this time.