

# 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 electronic originals  
(may include minor formatting differences from printed original)



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

---

Legislative Document

No. 992

S.P. 337

In Senate, March 12, 2013

---

**An Act To Create a State-sponsored 401(k) Retirement Plan for  
Participation by Private Employers**

---

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator WOODBURY of Cumberland.  
Cosponsored by Senator: WHITTEMORE of Somerset, Representatives: HERBIG of Belfast,  
VOLK of Scarborough.

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

2 **Sec. 1. 10 MRSA c. 110, sub-c. 3-A** is enacted to read:

3 **SUBCHAPTER 3-A**

4 **MAINE RETIREMENT INVESTMENT PLAN**

5 **§1057. Plan**

6 The authority shall develop, establish and administer a tax-qualified defined  
7 contribution retirement investment plan, referred to in this section as "the plan," that must  
8 be made available to employers who wish to offer the plan as a retirement investment  
9 option to their employees. The plan must:

10 1. **Section 401(k).** Meet the requirements for favorable tax treatment under Section  
11 401(k) of the United States Internal Revenue Code;

12 2. **Availability.** Be made available for participation by any employer;

13 3. **Administration.** Be administered by the authority under contract with a 3rd-party  
14 administrator;

15 4. **Options.** Provide options for participating employers and employees;

16 5. **Fee structure.** Establish a fee structure for participating employers that covers  
17 the authority's costs of establishing and administering the plan; and

18 6. **Cost containment.** Minimize costs to employers and employees through  
19 economies of scale, standardization and other measures.

20 **Sec. 2. Implementing legislation.** By January 15, 2014, the Finance Authority  
21 of Maine may submit to the Second Regular Session of the 126th Legislature any  
22 legislation necessary to facilitate implementation of the plan under the Maine Revised  
23 Statutes, Title 10, section 1057.

24 **SUMMARY**

25 This bill directs the Finance Authority of Maine to establish a qualified defined  
26 contribution retirement investment plan eligible for favorable tax treatment under Section  
27 401(k) of the United States Internal Revenue Code to be made available to employers  
28 who wish to offer the plan as a retirement investment option to their employees.