

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 16

H.P. 15

House of Representatives, January 13, 2015

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**An Act To Eliminate Retirement Benefits and Paid Health  
Insurance for Legislators Elected after 2016**

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Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative DUNPHY of Embden.  
Cosponsored by Senator BRAKEY of Androscoggin and  
Representatives: CHENETTE of Saco, FARRIN of Norridgewock, HARLOW of Portland,  
MAKER of Calais, MALABY of Hancock, O'CONNOR of Berwick, SIROCKI of  
Scarborough, Senator: BURNS of Washington.

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

2 **Sec. 1. 3 MRSA §801, sub-§1,** as amended by PL 2007, c. 491, §18, is further  
3 amended to read:

4 **1. Membership mandatory.** ~~Every~~ Except for a Legislator elected for the first time  
5 after 2016, every Legislator serving in the Legislature on or after December 3, 1986 is a  
6 member of the Legislative Retirement Program, except that any Legislator who was a  
7 member of the Maine State Retirement System on December 2, 1986 may choose to be a  
8 member of the State Employee and Teacher Retirement Program instead of becoming a  
9 member of the Legislative Retirement Program, and any Legislator who is a public school  
10 teacher or an employee of the Maine Community College System on leave of absence for  
11 the purpose of serving in the Legislature continues to be a member of the State Employee  
12 and Teacher Retirement Program and to have contributions deducted from the member's  
13 legislative earnable compensation as provided by Title 5, section 17701. A Legislator  
14 who terminates employment from a position requiring membership in the State Employee  
15 and Teacher Retirement Program no longer contributes to the State Employee and  
16 Teacher Retirement Program and, if qualified, is eligible to become a benefit recipient  
17 under Title 5, section 17804. Upon such termination, the Legislator becomes a member  
18 of the Legislative Retirement Program. Except as provided in section 802, subsection 4,  
19 paragraph A, creditable service granted under the State Employee and Teacher  
20 Retirement Program may not be transferred to the Legislative Retirement Program. A  
21 member ceases to be a member when the member withdraws the member's contributions,  
22 becomes a beneficiary as a result of the member's own retirement or dies. A Legislator  
23 elected for the first time after 2016 may not be a member of the Legislative Retirement  
24 Program.

25 **SUMMARY**

26 This bill prohibits a Legislator elected for the first time after 2016 from being a  
27 member of the Legislative Retirement Program, which also removes the Legislator from  
28 eligibility for a post-retirement state group health plan.