

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Provides funds for 4 Tax Examiner positions for 5 weeks per year and general operating expenses to track revenue, contact taxpayers and perform follow-up assistance.

DEPARTMENT OF FINANCE		
TOTAL	\$15,293	\$5,518
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Health		
All Other	\$176,000	\$192,000
Provides funds for the Women, Infants and Children Special Supplemental Food Program.		
DEPARTMENT OF HUMAN SERVICES		
TOTAL	\$176,00	\$192,000
TOTAL ALLOCATIONS	\$4,400,000	\$4,800,000

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect on August 1, 1991.

Effective August 1, 1991.

CHAPTER 527

S.P. 743 - L.D. 1935

An Act to Change the State Payment for Health Insurance Benefits for New State Employees with Less than 10 Years of Service and Provide for a Study of Retirement Benefits Provided to New Employees

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, changes in the Maine State Retirement System have been suggested as a means of reducing expenditures; and

Whereas, changes should not be made without the opportunity for study and identification of the implications of the proposed changes; and

Whereas, the study must be completed in time to provide useful information to the Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §285, sub-§8, as amended by PL 1989, c. 776, §1, is further amended to read:

8. Payment by Maine State Retirement System for persons who retire before July 1, 1991. The For persons who were first employed before July 1, 1991, the Maine State Retirement System shall pay 100% of only the retiree's share of the premiums for this health plan for persons who were previously eligible for this health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G.

Sec. 2. 5 MRSA §285, sub-§8-A is enacted to read:

8-A. Payment by Maine State Retirement System for persons employed after July 1, 1991. For persons who were first employed by the State after July 1, 1991, the Maine State Retirement System shall pay a pro rata portion of only the retiree's share of the premiums, as described in this section, for this health plan for persons who were previously eligible for this health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G based on the total number of years of participation in the group health plan prior to retirement as follows.

<u>Years of Participation</u>	<u>State Portion</u>
<u>10 or more years</u>	<u>100% group health plan premium</u>
<u>9 but less than 10 years</u>	<u>90% group health plan premium</u>
<u>8 but less than 9 years</u>	<u>80% group health plan premium</u>
<u>7 but less than 8 years</u>	<u>70% group health plan premium</u>
<u>6 but less than 7 years</u>	<u>60% group health plan premium</u>
<u>5 but less than 6 years</u>	<u>50% group health plan premium</u>
<u>Less than 5 years</u>	<u>No contribution</u>

Sec. 3. Study. The Commission to Study the Retirement Benefits Provided by the State, referred to in this section as the "commission," is established.

1. The commission consists of the following 10 members:

A. Three Legislators appointed jointly by the President of the Senate and the Speaker of the House of Representatives;

B. Three members appointed jointly by the President of the Senate and the Speaker of the House of Representatives from nominations submitted by labor organizations representing state employees and teachers;

C. Three members appointed by the Governor; and

D. The Executive Director of the Maine State Retirement System or the executive director's designee.

2. All appointments must be made no later than 30 days following the effective date of this Act. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. The Chair of the Legislative Council shall call each meeting of the commission. The commission shall select a chair from its membership.

3. The commission, at the direction of the Legislative Council, shall undertake a study of the benefits that will be provided to state employees and teachers who are new to the Maine State Retirement System, the Maine Judicial Retirement System or the Maine Legislative Retirement System. As part of the study the commission shall:

A. Identify current benefits provided by the retirement systems and the associated costs of each benefit;

B. Review recent studies of the retirement systems;

C. Determine whether the State offers retirement benefits that will meet the needs of the future work force, taking into account expected demographic changes and reviewing the effect of these changes on the financial integrity of the systems;

D. Determine whether the State offers retirement benefits as part of the total compensation package that encourage qualified persons to seek and continue in public employment in furtherance of the legislative intent expressed in the Maine Revised Statutes, Title 5, section 17050; and

E. Identify a range of alternative retirement package options and analyze the current retirement package and each option to determine:

(1) The extent to which each alternative reflects the legislative intent in Title 5, section 17050;

(2) The impact of each alternative on the financial integrity of the retirement systems;

(3) The impact of each alternative on the State Treasury;

(4) The extent to which each alternative takes into consideration future demographic changes; and

(5) How the reductions and enhancements to benefits of each of the alternatives affect the balance of the current benefits available under the retirement systems provided by the State.

4. The commission shall coordinate its efforts with any other commissions studying aspects of retirement benefits provided by the State.

5. The commission shall submit its findings by November 1, 1991.

6. The Maine State Retirement System staff shall provide any necessary staff assistance for the commission and the retirement system's actuaries shall furnish actuarial services to the commission under their contract with the retirement system up to a value of \$20,000. Other state agencies shall provide information requested by the commission.

7. The legislative members of the commission are entitled to the legislative per diem and expenses, as provided in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at commission meetings. The cost of per diems and expenses must be covered by the Maine State Retirement System.

8. The Joint Standing Committee on Aging, Retirement and Veterans shall review the report of the commission.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective July 5, 1991.

CHAPTER 528

H.P. 1379 - L.D. 1967

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1991, June 30, 1992 and June 30, 1993

REVISOR'S NOTE: Chapter 528 took effect upon approval by the Governor on July 8, 1991. The Act was repealed pursuant to Part RRR on July 11, 1991. Chapter 528 is 634 pages long and is substantially the same as chapter 591, which took effect upon approval by the Governor on July 17, 1991. The Parts of chapter 528 that are identical to Parts in chapter 591 are not printed here, and reference should be made to chapter 591 for those provisions.

Chapter 528, Parts A to HHH are identical to chapter 591, Parts A to HHH.

Chapter 528, Part III, section 1 is different from chapter 591, Part III, section 1. The remainder of chapter 528, Part III is identical to the remainder of chapter 591, Part III. Chapter 528, Part III, section 1 reads as follows:

Sec. III-1. 5 MRSA §7-B is enacted to read: