

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

**CHAPTER 40****H.P. 761 - L.D. 1035****Resolve, to Create the Teacher Retirement Advisory Committee****Sec. 1. Committee established. Resolved:**

That the Teacher Retirement Advisory Committee, referred to in this resolve as the "committee," is established; and be it further

**Sec. 2. Members. Resolved:** That the committee consists of 4 members as follows:

1. One member appointed by the Maine Education Association;
2. One member appointed by the Maine School Management Association;
3. One member from the Maine State Retirement System, appointed by the Board of Trustees of the Maine State Retirement System; and
4. One member from the Department of Education, appointed by the Governor; and be it further

**Sec. 3. Deadline for appointments; organizational meeting. Resolved:** That all appointments must be made no later than 14 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Maine State Retirement System upon making their appointments. When appointment of all members of the committee is completed, the Executive Director of the Maine State Retirement System shall call the committee together for its first meeting no later than November 15, 1995. The committee shall select a chair from among its members; and be it further

**Sec. 4. Duties. Resolved:** That the committee shall examine the issue of whether extracurricular stipends should be included or excluded from earnable compensation for teacher retirement purposes. In its examination of this issue, the committee shall consider the following:

1. Whether a recommended change to the definition of "earnable compensation" should be applied so that teachers who already have been compensated for stipendiary positions for an extended period of time, including the 3 years in which their earnings were highest, will be entitled to have those earnings included in their average final compensation;
2. Whether a percentage of any excluded extracurricular stipends may be deposited in a defined contribution plan or other retirement option;

3. An effective date for any recommended changes that permits local school districts and employees to make a smooth transition to recommendations from the committee; and

4. An actuarial assessment of the impact on the unfunded liability of the Maine State Retirement System resulting from the recommendations of the committee.

The committee shall report its findings, recommendations and any necessary implementing legislation to the Joint Standing Committee on Labor no later than February 15, 1996; and be it further

**Sec. 5. Staff assistance. Resolved:** That the Maine State Retirement System shall provide staff assistance to the committee upon its request; and be it further

**Sec. 6. Compensation. Resolved:** That members of the committee are not entitled to receive compensation or reimbursement for expenses.

See title page for effective date.

**CHAPTER 41****H.P. 105 - L.D. 140****Resolve, to Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse**

**Sec. 1. Acupuncture pilot project. Resolved:** That the Department of Human Services and the Office of Substance Abuse are authorized to pursue a home-and-community-based waiver from the federal Health Care Financing Administration to develop a pilot project for the treatment of alcoholism and drug dependency through the use of acupuncture. The Department of Human Services and the Office of Substance Abuse may establish treatment standards for the project by either formal rulemaking or protocols that are binding on the participants. The pilot project must be limited to a finite number of patients determined by the Department of Human Services and the Office of Substance Abuse and may not last longer than 2 years. Acupuncture treatment under the project must be reimbursable as allowed under the United States Social Security Act, Title XIX. The pilot project must be developed and implemented in a manner that ensures that it will be cost-neutral or will result in savings to the State's Medicaid program. The Department of Human Services and the Office of Substance Abuse shall submit a report on the results of the acupuncture pilot project to the joint standing committee of the Legisla-