

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGING, RETIREMENT AND VETERANS

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

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allow municipalities to offer their employees a wider range of pension system options at a lower cost than the Maine State Retirement System alone can offer.

LD 1245 An Act Related to Disability Retirement under the Maine State Retirement System

CARRIED OVER

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
TUFTS

SUMMARY

The bill amends the disability plans of the Maine State Retirement System to provide that a member is not eligible for disability retirement benefits based on a disability that arises in connection with commission of a crime and may not receive a benefit for a period of time during which the person is incarcerated for a period of 30 days or more. The bill also provides that if a recipient of a disability retirement benefit appeals the executive director's decision to discontinue that benefit, benefits must be continued until the exhaustion of all administrative appeals. This bill amends the legislative disability retirement provisions to put Legislators under the disability plan established in 1989 for state employees.

This bill was carried over to the Second Regular Session.

LD 1246 An Act to Amend Laws Administered by the Maine State Retirement System

PUBLIC 387
EMERGENCY

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BARTH OTP-AM H-562

SUMMARY

This bill requires that if a teacher's salary is paid from grant money, the retirement costs must also be paid from those funds, it adds a provision relating to the purchase of service credits for teaching in private or parochial schools that was not included when the section was last amended, and it repeals the provisions that direct the use of tables of annuities in calculating reductions for early retirement. It also amends special plan provisions for state police officers and law enforcement officers to alter the definition of surviving spouse and makes changes to conform with the requirements of Public Law 1975, chapter 622, as to the calculation of special plan benefits. It adds a section that appears to have been omitted from the participating local district provisions when the laws were recodified during the 112th Legislative Session. It clarifies the definition of the term "actuarial equivalent" and corrects an improper reference to school administrative unit. It extends from 37 to 60 days the maximum time for the system to pay refunds of contributions to former members and it provides that disability benefits may be discontinued as soon as the recipient has exhausted all administrative appeals.

The committee amendment (H-562) adds an emergency preamble and a mandate preamble, requires the Board of Trustees to establish a defined contribution plan by July 1, 1994, and permits the executive director to delegate powers and duties to retirement system staff with the approval of the board. It authorizes the executive director to review and simplify current reporting requirements and to recommend a schedule of penalties to be adopted as rules to ensure employer compliance. The amendment also deletes those sections of the bill that would have allowed the discontinuance of disability benefits while an appeal is pending in the court system and also deletes the sections of the bill that removed a reference to an annuity table. It changes the definition of surviving spouse in certain instances with the same result

as in the original bill but with more straightforward wording. The amendment adds an alternative method of purchasing service credit for private or parochial school teaching for PLD members that is comparable to the alternative included in the bill for state employees and teachers. The amendment establishes the Advisory Committee on Teacher Retirement to oversee the development and implementation of a defined contribution plan and to consider changes to the definition of teacher and earnable compensation.

LD 1308 An Act to Provide Equitable Representation on the Board of Trustees of the Maine State Retirement System CARRIED OVER

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
MARTIN J

SUMMARY

This bill adds 2 members to the Board of Trustees of the Maine State Retirement System, one who is a member of the retirement system through employment as a participating local district employee and who is appointed by the AFL-CIO and one member of the retirement system appointed by the Maine School Management Association. The bill also increases the number of members needed for a quorum from 4 to 6 and the minimum number of votes needed to take action from 4 to 6.

This bill was carried over to the Second Regular Session.

LD 1330 An Act Regarding Creditable Service of Educational Technicians in the Maine State Retirement System ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
PARADIS J ONTP

SUMMARY

This bill would have provided that an educational technician receive a full year of creditable service for any school year during which that employee is employed for 1,000 or more hours in a part-time or seasonal position.

LD 1333 An Act to Change Beneficiary Provisions for Survivor Benefits in the Maine State Retirement System ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
PARADIS J ONTP

SUMMARY

This bill would have allowed the original surviving beneficiary to transfer rights to another person. Currently, the law does not allow the assignment of benefits by the beneficiary, other than an election not to receive benefits, in which case the benefits would be divided among the remaining beneficiaries. This bill does not apply to life insurance or any other type of benefits allowed under the Maine State Retirement System.