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An Act Authorizing Participation in the State Group Health Plan for Retiring Legislators

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

Sec. 1. 5 MRSA §285, sub-§1, ¶G, as amended by PL 2001, c. 439, Pt. XX, §2, is further amended to read:

G. Subject to subsection 1-A, employees in any of the categories denominated in paragraphs A to F-1 and paragraph F-3 who:

(1) On April 26, 1968, have retired and who were covered under group health plans that by virtue of Public Law 1967, chapter 543 were terminated;

(2) After April 26, 1968, retire and who on the date of their retirement are currently enrolled in this group health plan as employees;

(3) After December 2, 1986, and after reaching normal retirement age, cease to be members of the Legislature and are recipients of retirement allowances from the Maine State Retirement System based upon creditable service as teachers, as defined by section 17001, subsection 42. This paragraph also applies to former members who were members on December 2, 1986;

(4) After December 2, 1986, and not yet normal retirement age, cease to be members of the Legislature and are recipients of retirement allowances from the Maine State Retirement System based upon creditable service as teachers, as defined by section 17001, subsection 42. This paragraph also applies to former members who were members on December 2, 1986; or

(5) After January 1, 1999, terminate employment under which they were eligible for the group health plan but do not retire at that time and who satisfy the requirements of subsection 1-A, paragraph D or paragraph E; or

(6) After January 1, 2006, and after reaching normal retirement age, cease to be members of the Legislature;

Sec. 2. 5 MRSA §285, sub-§1-A, ¶F is enacted to read:

F. If eligibility is based on subsection 1, paragraph G, subparagraph (6), have participated in the plan or elect to join or rejoin the plan. For purposes of determining the retiring Legislator's pro rata share of the premiums under subsection 7, a retiring Legislator may retroactively contribute an amount equal to what the retiree's pro rata share of the premium would have been for any period of time not to exceed the number of years the retiree served in the Legislature. This paragraph may

not be construed to create any entitlement or right to reimbursement of any health care expenditure incurred by the retiring Legislator during the period in which the retiree did not participate in the plan but for which the retiree may be making retroactive contributions.

SUMMARY

Under this bill, any Legislator who reaches normal retirement age and retires from the Legislature may be covered under the state group health plan regardless of whether or not the Legislator participated in a retirement system administered by the Board of Trustees of the Maine State Retirement System. The bill provides for retroactive pro rata payment of the amount of contributions the Legislator would have made if covered under the plan.