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An Act To Amend the Laws Governing Health Insurance for Certain State Employees

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

Whereas, current law requires those state employees eligible to retire but who have not met the age requirement to choose between retiring by January 1, 2012 or having to pay the cost of their health insurance once they retire until they reach retirement age; and

Whereas, this requirement will result in the loss of qualified appointees in the executive and legislative branches of Maine government; 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-§7, ¶J, as enacted by PL 2011, c. 380, Pt. V, §1 and affected by §7, is amended to read:

J. Those state employees that retire after January 1, 2012, or those state employees employed as teachers in the unorganized territory or the Maine Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf that retire after July 1, 2012, under the provisions of section 17851, subsections 1-B, 1-C, 2-B, 2-C and 3 shall contribute 100% of the individual premium until such time as the retiree reaches normal retirement age. For purposes of this paragraph, "state employees" does not include those state employees that are appointed to office pursuant to statute, ordinance or resolution for a specified term by the Governor, a department head or a body having appointive power within the executive department or by the Legislature if those state employees have not yet reached normal retirement age but have at least 25 years of creditable service under chapter 423, subchapter 4.

Sec. 2. Retroactivity. That section of this Act that amends the Maine Revised Statutes, Title 5, section 285, subsection 7, paragraph J applies retroactively to January 1, 2012.

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

SUMMARY

Pursuant to changes made by Public Law 2011, chapter 380, a state employee who retires after January 1, 2012 but who has not yet reached the applicable normal retirement age is required to pay 100% of individual health care insurance premiums until that person reaches the normal retirement age.

This bill exempts from that requirement a state employee who is appointed by the Governor, a department head or a body in the executive branch or the Legislature as long as that appointee has at least 25 years of creditable service but has not yet reached normal retirement age. This exemption is retroactive to January 1, 2012.