



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1524

S.P. 485

In Senate, April 28, 2011

An Act To Amend the Laws Relating to the Maine Public Employees Retirement System

Submitted by the Maine Public Employees Retirement System pursuant to Joint Rule 204.
Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator ROSEN of Hancock.
Cosponsored by Representative FLOOD of Winthrop.

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

2 **Sec. 1. 5 MRSA §17057, sub-§4**, as corrected by RR 2009, c. 2, §3, is amended
3 to read:

4 **4. Investment activity information.** Disclosure of private market investment
5 activity of the retirement system, ~~pursuant to the innovation finance program~~, is governed
6 by this subsection.

7 A. Documentary material, data or information in the possession of the retirement
8 system that consists of trade secrets or commercial or financial information that
9 relates to ~~the investments~~ actual or potential private market investments of the
10 retirement system ~~pursuant to the innovation finance program under Title 10, section~~
11 ~~1026-T~~ is confidential and not open to public inspection and does not constitute
12 "public records" as defined in Title 1, section 402, subsection 3 if, in the sole
13 discretion of the retirement system, the disclosure of the material, data or information
14 may:

15 (1) Impair the retirement system's ability to obtain such material, data or
16 information in the future; ~~or~~

17 (2) Cause substantial harm to the competitive position of the retirement system
18 or of the person or entity from whom the information was obtained; or

19 (3) Result in the potential violation of state and federal laws and regulations
20 relating to insider trading.

21 B. The following information concerning any ~~venture capital~~ fund in which the
22 retirement system is invested ~~pursuant to the innovation finance program under Title~~
23 ~~10, section 1026-T~~ is not exempt from disclosure:

24 (1) The retirement system's total commitment to the ~~venture capital~~ fund;

25 (2) The date of the commitment to the ~~venture capital~~ fund;

26 (3) Contributions and distributions made to or received from ~~an innovation~~
27 ~~finance program~~ the fund;

28 (4) The market value of the investment;

29 (5) The name of the ~~venture capital~~ fund; and

30 (6) The interim internal rate of return of the ~~venture capital~~ fund.

31 C. For purposes of this subsection, "private market investment" means:

32 (1) Direct investments in land, timber, mineral rights, private company equity or
33 private company debt;

34 (2) Indirect investments in limited partnerships, limited liability corporations or
35 other entities that may invest in the investments described in subparagraph (1);

36 (3) Investments in unregistered securities or funds offered under exemptions
37 provided in Section 144(A) of the Securities Act of 1933, as amended, or Section
38 3(c)1 or 3(c)7 of the Investment Company Act of 1940, as amended; or

1 (4) Investments or potential investments of the retirement system pursuant to the
2 state innovation finance program authorized under Title 10, section 1026-T.

3 **Sec. 2. 5 MRSA §17057, sub-§5** is enacted to read:

4 **5. Personnel records of Maine Public Employees Retirement System staff.** The
5 following records are confidential and not open to public inspection and are not public
6 records as defined in Title 1, section 402, subsection 3:

7 A. Papers relating to applications, examinations or evaluations of applicants. Except
8 as provided in this subsection, applications, resumes, letters and notes of reference,
9 working papers, research materials, records, examinations and any other documents
10 or records and the information they contain, solicited or prepared either by the
11 applicant or the retirement system for use in the examination or evaluation of
12 applicants for positions as retirement system employees, are confidential.

13 (1) Notwithstanding any confidentiality provision to the contrary, applications,
14 resumes and letters and notes of reference, other than those letters and notes of
15 reference expressly submitted in confidence, pertaining to the applicant hired are
16 public records after the applicant is hired, except that personal contact
17 information is not a public record as provided in Title 1, section 402, subsection
18 3, paragraph O.

19 (2) Telephone numbers are not public records if they are designated as "unlisted"
20 or "unpublished" in an application, resume or letter or note of reference.

21 (3) This paragraph does not preclude a union representative from access to
22 personnel records, consistent with paragraph D, that may be necessary for the
23 bargaining agent to carry out collective bargaining responsibilities. Any records
24 available to union representatives that are otherwise covered by this paragraph
25 remain confidential and are not open to public inspection;

26 B. Personal information. Records containing the following information are
27 confidential, except that the records may be examined by the employee to whom they
28 relate when the examination is permitted or required by law:

29 (1) Medical information of any kind, including information pertaining to
30 diagnosis or treatment of mental or emotional disorders;

31 (2) Performance evaluations and personal references submitted in confidence;

32 (3) Information pertaining to the creditworthiness of a named employee;

33 (4) Information pertaining to the personal history, general character or conduct
34 of members of the employee's immediate family;

35 (5) Personal information pertaining to the employee's race, color, religion, sex,
36 national origin, ancestry, age, physical disability, mental disability, marital status
37 and sexual orientation; social security number; personal contact information as
38 provided in Title 1, section 402, subsection 3, paragraph O; and personal
39 employment choices pertaining to elected payroll deductions, deferred
40 compensation, savings plans, pension plans, health insurance and life insurance;
41 and

1 (6) Complaints, charges or accusations of misconduct, replies to those
2 complaints, charges or accusations and any other information or materials that
3 may result in disciplinary action. If disciplinary action is taken, the final written
4 decision relating to that action is no longer confidential after the decision is
5 completed if it imposes or upholds discipline. If an arbitrator completely
6 overturns or removes disciplinary action from an employee personnel file, the
7 final written decision is public except that the employee's name must be deleted
8 from the final written decision and kept confidential. If the employee whose
9 name was deleted from the final written decision discloses that the employee is
10 the person who is the subject of the final written decision, the entire final written
11 decision, with regard to that employee, is public.

12 For purposes of this subparagraph, "final written decision" means:

13 (a) The final written administrative decision that is not appealed pursuant to
14 a grievance arbitration procedure; or

15 (b) If the final written administrative decision is appealed to arbitration, the
16 final written decision of a neutral arbitrator.

17 A final written administrative decision that is appealed to arbitration is no longer
18 confidential 120 days after a written request for the decision is made to the
19 employer if the final written decision of the neutral arbitrator is not issued and
20 released before the expiration of the 120 days.

21 This paragraph does not preclude a union representative from having access to
22 personnel records that are necessary for the bargaining agent to carry out collective
23 bargaining responsibilities. Any records available to union representatives that are
24 otherwise covered by this paragraph remain confidential and are not open for public
25 inspection;

26 C. Other information to which access by the general public is prohibited by law; and

27 D. Certain information for grievance and other proceedings. The retirement system
28 may release specific information designated confidential by this paragraph to be used
29 in negotiations, mediation, fact finding, arbitration, grievance proceedings and other
30 proceedings in which the retirement system is a party. For the purpose of this
31 paragraph, "other proceedings" means unemployment compensation proceedings,
32 workers' compensation proceedings, human rights proceedings and labor relations
33 proceedings.

34 **6. Treatment of confidential information.** Confidential information provided
35 under subsection 5 is governed by the following.

36 A. Only the information that is necessary and directly related to the proceeding may
37 be released.

38 B. The proceeding for which the confidential information is provided must be private
39 and not open to the public if possible. If the proceeding is open to the public, the
40 confidential information may not be disclosed except exclusively in the presence of
41 the fact finder, the parties and counsel of record and the employee who is the subject
42 of the proceeding and provisions are made to ensure that there is no public access to
43 the confidential information.

1 C. The retirement system may use this confidential information in proceedings and
2 provide copies to an employee organization if that organization is a party to the
3 proceedings and the information is directly related to those proceedings as defined by
4 the applicable collective bargaining agreement. Confidential personnel records in the
5 possession of the retirement system are not open to public inspection and are not
6 public records.

7 **Sec. 3. 5 MRSA §17652, sub-§1**, as amended by PL 2009, c. 474, §15, is further
8 amended to read:

9 **1. Elected and appointed officials.** Membership in the State Employee and Teacher
10 Retirement Program is optional for elected officials or officials appointed for a fixed
11 term. A person must make an election at the time of initial hire whether to be a member
12 of the program. Once an election is made under this subsection, the election is
13 irrevocable with respect to all subsequent employment with the same employer when
14 membership in the program is not mandatory.

15 **Sec. 4. 5 MRSA §17652, sub-§3**, as amended by PL 2009, c. 474, §15, is further
16 amended to read:

17 **3. Certain employees of the Maine Community College System.** Notwithstanding
18 section 17651, membership in the State Employee and Teacher Retirement Program is
19 optional for employees of the Maine Community College System who are eligible to
20 participate in a retirement plan pursuant to Title 20-A, section 12722. A person must
21 make an election at the time of initial hire whether to be a member of the program. Once
22 an election is made under this subsection, the election is irrevocable with respect to all
23 subsequent employment with the same employer when membership in the program is not
24 mandatory.

25 **Sec. 5. 5 MRSA §17652, sub-§4**, as amended by PL 2009, c. 474, §15, is further
26 amended to read:

27 **4. Limitation on election to join State Employee and Teacher Retirement**
28 **Program.** Notwithstanding any other law, confidential employees of the Maine
29 Community College System who are not represented in a collective bargaining unit may
30 join the State Employee and Teacher Retirement Program under this section only upon
31 the written authorization of the Board of Trustees of the Maine Community College
32 System. The board of trustees shall authorize the person to join the State Employee and
33 Teacher Retirement Program when the Maine Community College System Office or
34 other Maine Community College System entity that employs the individual seeking to
35 join has identified and designated the funds necessary to pay for the cost of that person's
36 joining the program. A person must make an election at the time of initial hire whether to
37 be a member of the program. Once an election is made under this subsection, the election
38 is irrevocable with respect to all subsequent employment with the same employer when
39 membership in the program is not mandatory.

40 **Sec. 6. 5 MRSA §17652, sub-§6**, as amended by PL 2009, c. 474, §15, is further
41 amended to read:

1 **6. Substitute teachers.** Notwithstanding section 17651, membership in the State
2 Employee and Teacher Retirement Program is optional for substitute teachers. A person
3 must make an election at the time of initial hire whether to be a member of the program.
4 Once an election is made under this subsection, the election is irrevocable with respect to
5 all subsequent employment with the same employer when membership in the program is
6 not mandatory.

7 **Sec. 7. 5 MRSA §17705-A, sub-§1,** as amended by PL 2007, c. 491, §112, is
8 further amended to read:

9 **1. Conditions for refund.** If the service of any member has terminated, except by
10 death or by retirement under this Part, ~~or if an optional member withdraws from a~~
11 ~~retirement program of the Maine Public Employees Retirement System,~~ the member must
12 be paid the amount of the member's accumulated contributions under the following
13 conditions:

14 A. The member must have properly applied for a refund of accumulated
15 contributions;

16 B. Payment must be made after termination of service and not less than 22 days nor
17 more than 60 days after receipt of the application and receipt of the last payroll upon
18 which the name of the member appears;

19 C. An application for refund is void if the member filing the application returns to
20 membership in any retirement program administered by the retirement system before
21 issuance of the payment;

22 D. Except when inclusion of a portion of employer contributions is required by
23 paragraph E, only accumulated contributions made by the member or picked up by
24 the employer may be refunded to that member under this subsection; and

25 E. The amount of the refund of accumulated contributions related to a member's
26 compensation for service rendered as a part-time, seasonal or temporary employee
27 after December 31, 1991 must be at least equal to 7.5% of the member's
28 compensation for that service plus interest as provided by section 17156.

29 **Sec. 8. 5 MRSA §17706-A, sub-§1,** as amended by PL 2009, c. 474, §20, is
30 further amended to read:

31 **1. Conditions for refund.** The retirement system may make an automatic refund of
32 contributions to a member who has not properly applied for a refund as provided in
33 section 17705-A and who has terminated service, except by death or by retirement under
34 this Part, ~~or who as an optional member has withdrawn from a retirement program of the~~
35 ~~Maine Public Employees Retirement System,~~ and who has not met the minimum
36 creditable service requirement for eligibility to receive a service retirement benefit at the
37 applicable age under the following conditions:

38 A. The member account has been inactive for 3 or more years;

39 B. Except when inclusion of a portion of employer contributions is required by this
40 subsection, only accumulated contributions made by the member or picked up by the
41 employer may be refunded to that member under this subsection;

1 C. The amount of the refund of accumulated contributions related to a member's
2 compensation for service rendered as a part-time, seasonal or temporary employee
3 after December 31, 1991 must be at least equal to 7.5% of the member's
4 compensation for that service plus interest as provided by section 17156; and

5 D. A member who receives an automatic refund under this subsection may, within
6 30 days of the issuance of the refund, return the full refunded amount to the
7 retirement system. Upon receipt, the retirement system shall restore the accumulated
8 contributions to the member's credit.

9 Pursuant to the Code, Section 401(a)(31)(B), the amount of an automatic refund under
10 this section for a member who has not reached normal retirement age may not exceed
11 \$1,000.

12 **Sec. 9. 5 MRSA §17952, first ¶**, as enacted by PL 1985, c. 801, §§5 and 7, is
13 amended to read:

14 A qualifying member may designate a beneficiary to receive benefits upon the
15 qualifying member's death by filing a written designation of beneficiary with the
16 executive director. The last designation of any beneficiary revokes all previous
17 designations. In order to be in effect, the written designation must be received by the
18 retirement system office or be postmarked before the qualifying member's death.

19 **Sec. 10. 5 MRSA §18058, sub-§1**, as amended by PL 2009, c. 474, §24, is
20 further amended to read:

21 **1. Employees insured.** ~~All employees~~ Each employee shall complete an application
22 for insurance coverage within 31 days of becoming eligible. Each employee who
23 completes an application and is found eligible for basic insurance under this subchapter
24 ~~are automatically~~ is insured for the ~~amounts~~ amount of basic coverage applicable under
25 this subchapter, beginning on the first day of the month following one month of
26 employment after the employee becomes eligible. ~~Each employee shall complete an~~
27 ~~application for insurance coverage within 31 days of becoming eligible.~~

28 A. The employee shall indicate the types of coverage elected.

29 B. ~~If an application is completed in a timely manner, any~~ the employee elects
30 coverage within 31 days of the employee's first becoming eligible and elects coverage
31 in addition to basic, that additional coverage becomes effective on the first day of the
32 month following one month of employment after the employee becomes eligible.

33 C. ~~If an application is not completed~~ the employee does not elect coverage within 31
34 days of the employee's first becoming eligible, the employee may subsequently apply
35 for ~~supplemental and dependent~~ insurance coverage but must produce evidence of
36 insurability at the employee's own expense and in accordance with the requirements
37 of the insurance underwriter.

38 **Sec. 11. 5 MRSA §18058, sub-§2, ¶D**, as enacted by PL 2007, c. 17, §1 and
39 affected by §3, is repealed.

40 **Sec. 12. 5 MRSA §18058, sub-§5** is enacted to read:

1 **5. Employee on leave of absence.** Insurance coverage for an employee on an
2 authorized leave of absence is governed as follows.

3 A. An employee who, during a period of an unpaid leave of absence, continues to
4 pay premiums due for the period of the leave continues to be covered. Coverage for
5 an employee who, during the period of the leave, does not pay the premiums due
6 ceases at the end of the period covered by the last premium paid.

7 B. Notwithstanding paragraph A, an employee who, during a period of unpaid
8 military leave of absence, does not continue coverage while on unpaid military leave
9 must be reinstated to the levels of coverage in effect immediately prior to the unpaid
10 military leave. A request for reinstatement by the employee must be made within 31
11 days of the employee's return to work following unpaid military leave. An employee
12 who wants to be reinstated and who does not apply for reinstatement within 31 days
13 of the employee's return to work from unpaid military leave must produce evidence
14 of insurability at the employee's own expense and in accordance with the
15 requirements of the insurance underwriter.

16 **Sec. 13. 5 MRSA §18251, sub-§3,** as amended by PL 2009, c. 474, §28, is
17 further amended to read:

18 **3. Optional membership.** Membership in the Participating Local District
19 Retirement Program is optional for the following employees of a participating local
20 district:

21 A. A person in the service of a participating local district on the date of
22 establishment for that participating local district. Once such a person joins the
23 Participating Local District Retirement Program, membership ceases to be optional
24 for that person under this paragraph;

25 B. An elected official or an official appointed for a fixed term. Special provisions
26 apply to certain officials as follows:

27 (1) Membership of trustees of a water district is governed by Title 35-A, section
28 6410, subsection 8;

29 (2) Membership of trustees of a sanitary district is governed by Title 38, section
30 1104; and

31 (3) Membership of trustees of a sewer district is governed by Title 38, section
32 1252;

33 C. A chief administrative officer of a participating local district, whether appointed
34 for a fixed term or appointed with tenure; and

35 D. A person whose membership is optional under section 18252, 18252-A or 18801.

36 A person must make an election at the time of initial hire, or on the date of first eligibility
37 to participate, whichever occurs earlier, whether to be a member of the program. Once an
38 election is made under this subsection, the election is irrevocable with respect to all
39 subsequent employment with the same employer when membership in the program is not
40 mandatory.

1 **Sec. 14. 5 MRSA §18252, first ¶**, as amended by PL 2009, c. 474, §31, is further
2 amended to read:

3 A person who is or would be covered by the United States Social Security Act as a
4 result of employment by a participating local district with Social Security coverage may
5 elect to be a member in the Participating Local District Retirement Program. A person
6 must make an election at the time of initial hire or on the date of first eligibility to
7 participate, whichever occurs earlier, whether to be a member of the program. Once an
8 election is made under this section, the election is irrevocable with respect to all
9 subsequent employment with the same employer when membership in the program is not
10 mandatory.

11 **Sec. 15. 5 MRSA §18252-A, sub-§1, ¶A**, as amended by PL 2009, c. 474, §32,
12 is further amended to read:

13 A. A person hired by a participating local district, or rehired following a break in
14 service, after the date on which the employer provides a plan under section 18252-B
15 must elect at the time of initial hiring or rehiring whether to be a member under the
16 Participating Local District Retirement Program or to be covered under a plan
17 provided by the employer under section 18252-B. Once an election is made under
18 this paragraph, the election is irrevocable with respect to all subsequent employment
19 with the same employer when membership in the program is not mandatory.

20 **Sec. 16. 5 MRSA §18253, sub-§2**, as enacted by PL 1985, c. 801, §§5 and 7, is
21 amended to read:

22 **2. Purchase of previously rendered creditable service.** A Notwithstanding any
23 law to the contrary, a member of a participating local district who has served in any
24 participating local district or in any local district, and who did not make an election to
25 decline membership while employed with that district, may purchase, by mutual
26 agreement between the participating local district and the person concerned, service credit
27 for the service previously rendered, upon proper certification that:

28 A. The service had been rendered; and

29 B. The current employer will assume the liability incurred by the granting of the
30 service credit for the previous time served.

31 **Sec. 17. 5 MRSA §18253, sub-§3**, as amended by PL 2007, c. 491, §202, is
32 further amended to read:

33 **3. Former employee.** Notwithstanding anything to the contrary, a participating
34 local district may grant service credit for creditable service to any former employee who
35 is currently a member of the Participating Local District Retirement Program, as long as
36 the former employee did not make an election to decline membership while employed
37 with that district. The entire actuarial cost of granting the service credit must be fully
38 funded by the district granting the service credit.

39 **Sec. 18. 5 MRSA §18306-A, sub-§1**, as amended by PL 2007, c. 491, §218 and
40 c. 695, Pt. A, §9, is further amended to read:

1 **1. Conditions for refund.** If the service of any member has terminated, except by
2 death or by retirement under this Part, ~~or if an optional member withdraws from the~~
3 ~~Participating Local District Retirement Program~~, or if an employee of a district that
4 withdraws from participation under section 18203 wishes to have accumulated
5 contributions refunded, the member or employee must be paid the amount of the
6 member's accumulated contributions under the following conditions:

7 A. The member must have properly applied for a refund of accumulated
8 contributions;

9 B. Payment must be made after termination of service and not less than 22 days nor
10 more than 60 days after receipt of the application and receipt of the last payroll upon
11 which the name of the member appears;

12 C. An application for refund is void if the member filing the application returns to
13 membership in any retirement program administered by the retirement system before
14 issuance of the payment;

15 D. Except when inclusion of a portion of employer contributions is required by
16 paragraph E, only accumulated contributions made by the member or picked up by
17 the employer may be refunded to that member under this section; and

18 E. The amount of the refund of accumulated contributions related to a member's
19 compensation for service rendered as a part-time, seasonal or temporary employee
20 after December 31, 1991 must be at least equal to 7.5% of the member's
21 compensation for that service plus interest as provided by section 17156.

22 **Sec. 19. 5 MRSA §18307-A, sub-§1**, as amended by PL 2009, c. 474, §40, is
23 further amended to read:

24 **1. Conditions for refund.** The retirement system may make an automatic refund of
25 contributions to a member who has not properly applied for a refund as provided in
26 section 18306-A and who has terminated service, except by death or by retirement under
27 this Part, ~~or who as an optional member has withdrawn from a retirement program of the~~
28 ~~Maine Public Employees Retirement System~~, and who has not met the minimum
29 creditable service requirement for eligibility to receive a service retirement benefit at the
30 applicable age under the following conditions:

31 A. The member account has been inactive for 3 or more years;

32 B. Except when inclusion of a portion of employer contributions is required by this
33 subsection, only accumulated contributions made by the member or picked up by the
34 employer may be refunded to that member under this subsection;

35 C. The amount of the refund of accumulated contributions related to a member's
36 compensation for service rendered as a part-time, seasonal or temporary employee
37 after December 31, 1991 must be at least equal to 7.5% of the member's
38 compensation for that service plus interest as provided by section 17156; and

39 D. A member who receives an automatic refund under this subsection may, within
40 30 days of the issuance of the refund, return the full refunded amount to the

1 retirement system. Upon receipt, the retirement system shall restore the accumulated
2 contributions to the member's credit.

3 Pursuant to the Code, Section 401(a)(31)(B), the amount of an automatic refund under
4 this subsection for a member who has not reached normal retirement age may not exceed
5 \$1,000.

6 **Sec. 20. 5 MRSA §18552, first ¶**, as enacted by PL 1985, c. 801, §§5 and 7, is
7 amended to read:

8 A qualifying member may designate a beneficiary to receive benefits upon the
9 qualifying member's death by filing a written designation of beneficiary with the
10 executive director. The last designation of any beneficiary revokes all previous
11 designations. In order to be in effect, the written designation must be received by the
12 retirement system office or be postmarked before the qualifying member's death.

13 **Sec. 21. 5 MRSA §18658, sub-§1**, as amended by PL 1993, c. 386, §5, is further
14 amended to read:

15 **1. Employees insured.** ~~All employees~~ Each employee shall complete an application
16 for insurance coverage within 31 days of becoming eligible. Each employee who
17 completes an application and is found eligible for basic insurance under this subchapter
18 ~~are automatically~~ is insured for the ~~amounts~~ amount of basic coverage applicable under
19 this subchapter, beginning on the first day of the month following one month of
20 employment after the employee becomes eligible. ~~Each employee shall complete an~~
21 ~~application for insurance coverage within 31 days of becoming eligible.~~

22 A. The employee shall indicate the types of coverage elected.

23 B. ~~If an application is completed in a timely manner~~ the employee elects coverage
24 within 31 days of the employee's first becoming eligible, any and elects coverage in
25 addition to basic, that additional coverage becomes effective on the first day of the
26 month following one month of employment after the employee becomes eligible.

27 C. ~~If an application is not completed~~ the employee does not elect coverage within 31
28 days of the employee's first becoming eligible, the employee may subsequently apply
29 for ~~supplemental and dependent~~ insurance coverage but must produce evidence of
30 insurability at the employee's own expense and in accordance with the requirements
31 of the insurance underwriter.

32 **Sec. 22. 5 MRSA §18658, sub-§2, ¶D**, as enacted by PL 2007, c. 17, §2 and
33 affected by §3, is repealed.

34 **Sec. 23. 5 MRSA §18658, sub-§5** is enacted to read:

35 **5. Employee on leave of absence.** Insurance coverage for an employee on an
36 authorized leave of absence is governed as follows.

37 A. An employee who, during a period of an unpaid leave of absence, continues to
38 pay premiums due for the period of the leave continues to be covered. Coverage for

1 an employee who, during the period of the leave, does not pay the premiums due
2 ceases at the end of the period covered by the last premium paid.

3 B. Notwithstanding paragraph A, an employee who, during a period of unpaid
4 military leave of absence, does not continue coverage while on unpaid military leave
5 must be reinstated to the levels of coverage in effect immediately prior to the unpaid
6 military leave. A request for reinstatement by the employee must be made within 31
7 days of the employee's return to work following unpaid military leave. An employee
8 who wants to be reinstated and who does not apply for reinstatement within 31 days
9 of the employee's return to work from unpaid military leave must produce evidence
10 of insurability at the employee's own expense and in accordance with the
11 requirements of the insurance underwriter.

12 **SUMMARY**

13 This bill:

14 1. Further expands the investment-related activity of the Maine Public Employees
15 Retirement System that is considered confidential;

16 2. Makes personnel records of retirement system staff confidential in a manner
17 consistent with how similar records of other groups of public employees are treated;

18 3. Provides further clarification as to the conditions of membership for optional
19 members, consistent with federal law;

20 4. Corrects the automatic refund provision of accumulated contributions to be
21 consistent with federal law;

22 5. Makes the effectiveness of a beneficiary designation consistent as between the
23 defined benefit and group life insurance programs;

24 6. Clarifies how employees make coverage elections under the group life insurance
25 program; and

26 7. Clarifies how coverage under the group life insurance program is treated during an
27 authorized leave of absence.