

MainePERS PLD ADVISORY COMMITTEE

May 2, 2023 at 1:00 p.m.

139 Capitol Street, Augusta, and via Zoom

AGENDA

1:00 p.m.	CALL TO ORDER		Dr. Rebecca M. Wyke
	1. MINUTES of February 7, 2023	ACTION	Dr. Rebecca M. Wyke
	2. CEO UPDATE		
	• One-Time COLA for Retirees in State-sponsored Plans		Dr. Rebecca M. Wyke
	• Temporary Adjustment to MainePERS Public Business Hours		Dr. Rebecca M. Wyke
	• Member Portal		Dr. Rebecca M. Wyke Chip Gavin
	• Benefit Estimator		Dr. Rebecca M. Wyke Chip Gavin Deanna Doyle
	3. LEGISLATIVE AND RULEMAKING UPDATES		Michael Colleran Kathy Morin
	4. EMPLOYER AUDIT PROGRAM UPDATE		Sherry Vandrell
	5. ADMINISTRATIVE		Sherry Vandrell Deanna Doyle
	• RRTW		
	• Current PLD Activity Report		
3:00 p.m.	ADJOURNMENT		Dr. Rebecca M. Wyke

MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM

Minutes

PLD Advisory Committee
Regular Meeting
February 7, 2023

MainePERS - Fort Point
Conference Room
1:00 p.m.

The PLD Advisory Committee met at 1:00 p.m. on Tuesday, February 7, 2023 at MainePERS.

Dr. Rebecca M. Wyke, Chief Executive Officer, presided and took roll call. Members present:

Deborah Roberts, Maine School Management Association; Rick Cailler, Professional Firefighters of Maine; Steve Butterfield, Governor's designee; David Barrett, Maine Municipal Association; Sophie Wilson, Maine Municipal Association (Remotely); Sylvia Hebert, AFSCME Counsel 93 (Remotely); Traci St. Clair, Teamsters (Remotely); Shelly Page, Maine Service Employees Association (Remotely); Brendan O'Connell, Maine Municipal Association (Remotely); Members absent: Nate Williams, Maine Education Association; Jim Hodgkin, Maine School Management Association. The Committee was joined by: Deanna Doyle, PLD Plan Administrator; Kathy Morin, Director of Actuarial and Legislative Affairs; Chip Gavin, Chief Services Officer; Sherry Vandrell, Director of Finance; Mara McGowen, Supplemental Benefits Division Manager; and Mary Rodimon, Paralegal.

MINUTES

With a correction of Deborah Roberts' affiliation to Maine School Management Association from Maine Municipal Association, the Committee unanimously approved the minutes of the November 1, 2022 meeting by roll call vote

CEO REPORT

Disability Retirement Experience Report

Chip Gavin noted that, pursuant to Public Law 2021 Ch. 277, the disability retirement experience report was filed with the Legislature in January. The report details the experience of the System and its members following implementation of the new disability retirement law in October 2021. Chip introduced Mara McGowen, Supplemental Benefits Division Manager at MainePERS. Mara gave an overview of the Disability Retirement Program, describing the application and medical review processes that occur before a decision is rendered. Chip informed the group that MainePERS conducted a member experience survey with all the members who completed the application process after implementation of the new law. Overall, the survey results were positive, indicating the disability application process is easy to understand and follow, high satisfaction that the process is fairly conducted, and overwhelming agreement that members were treated respectfully.

A third party audit was conducted that identified potential areas for improvement, including updating our line of business software and reviewing a disability services policy. Chip reported that steps have already been taken to address these items, and we will continue to seek feedback and opportunities for program improvement.

Divestment Report

Dr. Rebecca Wyke reported on the two divestment laws that went into effect in October of 2021. One was on fossil fuels and the other on for profit prisons. The Board of Trustees engaged a consultant (NEPC) to help us understand the climate change landscape, the exposure within our portfolios, and what it would cost to divest and refrain from investing as contemplated by the laws going forward. The Attorney General's office issued us a letter to provide guidance around the Board's fiduciary obligations, noting that the statutes do not affect the fiduciary obligations because they reiterate rather than modify them. She further noted that for future investments, we have come up with a practice to track where we are with our fossil fuel and for profit prison exposure on an annual basis. We will put in the policy to disclose if there is or a potential to be a fossil fuel exposure at the time the investment is brought to the Trustees for consideration as a way of ensuring due diligence has happened. Dr. Wyke further noted that the divestment report has been filed with the legislature and two presentations were given last week to the Labor and Housing Committee on both the divestment and the disability retirement experience reports, and that both reports are posted to the System's website.

LEGISLATIVE AND RULEMAKING UPDATES

Kathy Morin reported that with the Legislature back in session, there are two bills that pertain to the PLD Plan: LD 426, which expands the periods of conflict that would apply for subsidized purchases of military service credit; and another that is not yet printed but would permit non-municipal EMS services employers to participate in the PLD Plan.

Kathy noted that there are currently six rules having to do with disability benefits and the appeals process that are up for adoption, amendment or repeal. New Rule Chapter 506 would bring all of the disability retirement eligibility elements under one umbrella. As a result, Rule Chapters 507 and 509 would be repealed. There are minor changes proposed to Rule Chapters 510 and 511, as well as amendments to the appeals rule, Rule Chapter 702. Kathy noted that MainePERS Board of Trustees held public hearings on these proposals at their January meeting and will consider them for action at their February 9, 2023 meeting.

COLA UPDATE

Dr. Wyke reminded the Committee that they had voted for an additional 1% cumulative COLA retroactive to September 2022 at the last meeting. PLD Consolidated Plan benefit recipients will receive their adjusted benefit along with the retroactive amount in February 2023. MainePERS will be communicating about this to stakeholders in various ways in the coming weeks. Dr. Wyke reported that the Governor has included a 1% ad hoc (not cumulative) additional COLA in the supplemental budget for State-funded programs.

EMPLOYER AUDIT PROGRAM UPDATE

Sherry Vandrell reported there have been ten additional PLD employer reviews completed since the committee met last, resulting in the completion of 85 reviews since inception of the program. We currently have one auditor on the team and are recruiting for a second.

ADMINISTRATIVE

Retiree Return to Work

Sherry reported the trend has flattened out over the past several quarters in the number of retirees reported and the dollar amount collected.

Current PLD Activity Report

Deanna reported three new PLDs are coming on-board, eight plan upgrades have been made since the November meeting, and 31 plan change inquiries and 21 new PLD inquiries have been received. She noted we have one employer interested in a partial withdrawal, meaning they want to add exclusions to their plan to restrict their membership; and another employer wants to fully withdrawal. She also reported that one of our charter schools PLDs will cease to exist at the end of the school year. We are working with them and their employees to make sure they know what their options are regarding their MainePERS benefit.

Rick Cailler asked if we had an information sheet to provide to employers explaining what a bona fide termination is. He noted he has received several questions on this subject. Deanna replied that we had done a mailing to all the employers in November with this information. Basically, there cannot be any explicit understanding before an employee retires between an employee and employer about going back to employment with them after retirement. Rick then asked who verifies this. Dr. Wyke answered that both the employer and the employee now sign a statement when the employee retires. There was then discussion on the IRS early distribution 10% tax and an exclusion for public safety employees. Tracy St. Clair and Rick expressed interest in receiving more information. Dr. Wyke suggested that Deanna and Mike reach out to Tracy and Rick after the meeting to answer any additional questions on the topic.

ADJOURNMENT

There being no further business for discussion, the Committee voted unanimously to adjourn. The meeting adjourned at 2:12 p.m.

Date Approved

Dr. Rebecca M. Wyke, Chief Executive Officer

MAINEPERS

PLD ADVISORY COMMITTEE

TO: PLD ADVISORY COMMITTEE MEMBERS
FROM: DR. REBECCA M. WYKE, CEO
SUBJECT: CEO UPDATE
DATE: APRIL 25, 2023

One-Time COLA Payment for Retirees in State-sponsored Plans – *Information Only*

The recently passed supplemental budget for the State of Maine (Public Law Chapter 3, Part J) included a one-time Cost of Living Adjustment (COLA) payment for eligible retirees who receive monthly payments through State-sponsored retirement plans.

Eligible retirees will receive a payment equaling 1% of their yearly benefit for the period ending August 31, 2022 up to a maximum of 1% of the \$24,186.25 COLA base, less any applicable taxes. This one-time payment applies to retirees who were eligible for a cost-of-living adjustment in September 2022. It is a one-time payment and will not be included in the calculation of future benefit adjustments.

The additional one-time payment is scheduled to be part of the retiree payroll processed at the end of April and may appear as a separate deposit in eligible retirees' accounts.

The State supplemental budget provisions do not affect Participating Local District (PLD) retirees. As a reminder, eligible PLD retirees received a 1% cumulative COLA increase with the February 2023 payroll, that was retroactive to September 2022.

Temporary Adjustment to MainePERS Public Business Hours

MainePERS will temporarily revise its business hours to Monday through Thursday from 8:00 a.m. to 4:00 p.m. for reaching Member Services Representatives by telephone and in person lobby services.

Contacting MainePERS via email remains an option through the MainePERS Directory on our website www.maineopers.org and we continue to offer a secure email system via Zixmail for sending communications that include sensitive information.

For those who prefer to use the postal service, documents or forms may be mailed to MainePERS, P.O. Box 349, Augusta, ME 04332-0349. A secure drop box is also available at our lobby entrance to drop off any completed forms or other documents.

Member Portal

MainePERS is working to launch a member portal later this year. See attached memorandum *MainePERS 2023 Member Portal: Planned Functionality*.

Benefit Estimator

MainePERS added a new tool to our website www.maineopers.org. The benefit estimator allows members in a regular (non-special) plan to project service retirement benefits. See attached datasheet on Benefit Estimator page views. At May's meeting we will provide a brief demonstration of the new tool.

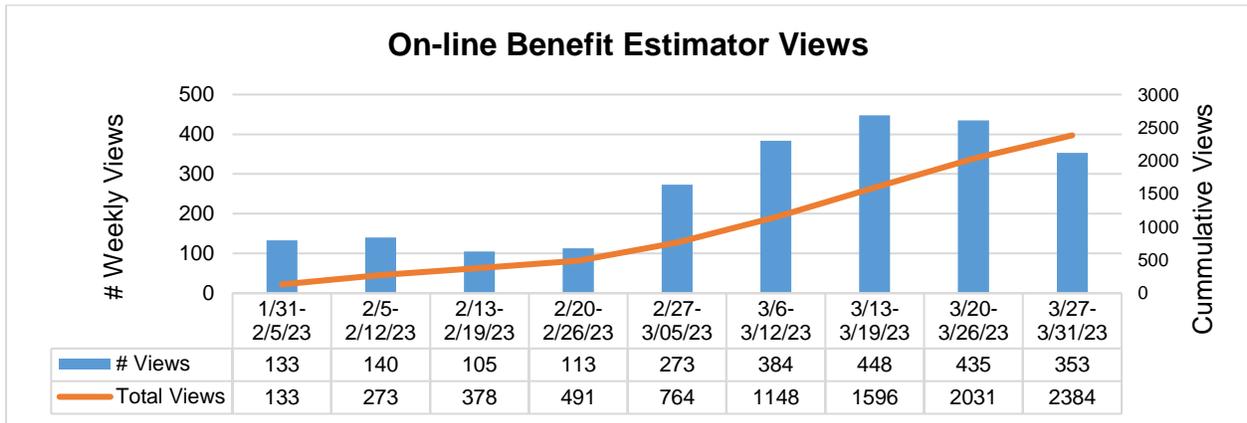
Date: March 30, 2023
 To: Rebecca Wyke
 From: Valerie E. Scott
 Re: MainePERS 2023 Member Portal: Planned Functionality

MainePERS is preparing to launch a secure Member Portal through which individuals may access their own online account information beginning before the end of 2023. Access to the portal will occur in phases over a period of months; it will ultimately be available to members, retirees, and beneficiaries. The functions outlined in the table below are planned for deployment at the time the portal goes 'live'. Additional functionality is under consideration for future deployment. Nearly every item below today requires a phone call, letter or form be received from a member or retiree and/or a physical response to be mailed to the person by MainePERS. The portal will provide access to these services on demand at an individual's convenience.

Function Available to Members	Specific Content
The ability to see:	<ul style="list-style-type: none"> • the member's own profile info (name, DOB, address, email, phone, etc.) • the most recent and all member account statements for which static images are available. • recent and all disbursements, if any. • current beneficiary elections for all applicable benefits (pension, Group Life Insurance). • current 1099-R or any tax forms • any benefit verification documents
The ability to access, download and print certain documents which MainePERS has received from the member, has sent to the member or otherwise has on-file in association with the account, such as:	<ul style="list-style-type: none"> • Advice of Deposit detail (Electronic Fund Transfer disbursement details) • Electronic Fund Transfer forms • Refund Application • Retirement Application (including: spousal notification and bona fide termination documents) • W-4P/W-4R • Member Statements • Tax Form 1099s • Group Life Insurance application • Preliminary Benefit Letter (states their initial benefit amount) • Benefit Estimates • Notice of Retirement • Final Benefit Letter • Service Credit Purchase - Cost Statements • Service Credit Purchase informational letters • Refund Statements • Benefit Verifications • Beneficiary Updates • Pre-retirement death benefits selection forms
The ability to update in real time:	<ul style="list-style-type: none"> • Physical Address • Email Address • Phone Number/s • Gender
The ability to access:	<ul style="list-style-type: none"> • Forms • Handbooks • The mainepers.org website and its services and further information

ONLINE BENEFIT ESTIMATOR: The new online benefit estimator continues to grow in visitation.

- The site averaged approximately 130 views per week in February.
- The site averaged more than 400 views per week for the period March 6-March 31.
- The Estimator has received more than 2,300 total page views since launching in late January 2023.



Date: April 24, 2023
To: PLD Advisory Committee Members
From: Mike Colleran and Kathy Morin
Re: Legislative and Rulemaking Update

LEGISLATIVE UPDATE

The 131st Legislature convened on December 7, 2022. The Legislature is considering several bills pertaining to the programs administered by MainePERS. This memo provides a summary of bills that could impact the Participating Local District Consolidated Plan as well as other bills of interest.

BILLS IMPACTING PLD PLAN

There are several proposed bills that would impact the Consolidated Plan. A summary for each of those bills follows, and a copy of each bill is included with this memo.

LD 426 – MILITARY SERVICE PURCHASE

This bill would expand the definition of “federally recognized period of conflict,” which would permit more members to purchase military service credit at a subsidized rate. A public hearing was held on this bill on March 2, and a work session is scheduled for April 26.

LD 635 – RETIRE/RETURN TO WORK

The intent of this bill was to permit retired law enforcement officers to return to work as school resource officers. The sponsor was unaware that this was already permissible under the Plan. A public hearing and work session were held on March 2, at which the bill was unanimously voted ought not to pass at the sponsor’s request.

LD 882 – LOCAL DISTRICT DEFINITION EXPANSION

This bill would allow certain non-municipal emergency medical service providers to participate in the PLD Consolidated Plan. The System informed the sponsor that the proposal raised plan compliance issues. A public hearing and work session were held on March 28, at which the bill was unanimously voted ought not to pass at the sponsor’s request.

LD 1123 – REBUTTABLE PRESUMPTION

This bill would create a rebuttable presumption under MainePERS disability laws for law enforcement officers about whether certain injuries or diseases occurred in the line of duty and without willful negligence. Because MainePERS disability does not distinguish between work and non-work related

injuries or diseases, the presumptions would have no bearing on eligibility for disability benefits. The bill also creates the presumption for workers compensation benefits. A public hearing was held on April 6, and a work session has not yet been scheduled.

LD 1759 – DISABILITY PROGRAM

This bill makes several changes to the disability retirement program administered by MainePERS. A public hearing has not yet been scheduled.

OTHER BILLS OF INTEREST

LD 733 – ANNUAL STATEMENTS

This bill requires employers and MainePERS to provide an annual benefits statement and specifies what must be included in the statement. A public hearing was held on March 28, and a work session is scheduled for April 26.

LD 742 – DIVESTMENT

This bill requires MainePERS to no longer invest in companies that are boycotting Maine lobster and to divest of current holdings, in accordance with sound investment criteria and consistent with the Board's fiduciary obligations. A public hearing was held on March 9. A work session was held on April 4, at which the bill was unanimously voted ought not to pass.

LD 1152 – LONG-TERM DISABILITY INSURANCE (LTDI)

This bill requires the Board to offer long-term disability insurance coverage to participating employers, and requires employers to pay the full cost of that coverage. This bill is the version of the proposed legislation included in the November 2022 Long-Term Disability Insurance Implementation Plan that was favored by the labor members of the stakeholder group. A public hearing was held on April, and a work session has not yet been scheduled.

LD 1230 – WEP/GPO INTERSTATE COMPACT

This bill directs the System to study the creation and adoption of an interstate compact with other states affected by the WEP and GPO. MainePERS completed similar work under a prior law and submitted a report in 2021. A public hearing was held on April 4. A work session was held on April 13, at which the bill was unanimously voted ought to pass.

RULEMAKING UPDATE

There is no rulemaking currently in progress.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 426

H.P. 259

House of Representatives, February 2, 2023

**An Act to Amend the Eligibility Criteria for Creditable Service in
the Armed Forces of the United States Under the State Retirement
System**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SALISBURY of Westbrook.
Cosponsored by Representatives: O'CONNELL of Brewer, RIELLY of Westbrook.

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

2 **Sec. 1. 5 MRSA §17760, sub-§3, ¶C**, as enacted by PL 2003, c. 693, §3, is
3 amended to read:

4 C. For purposes of this subsection, "federally recognized period of conflict" means
5 World War I, April 6, 1917 to November 11, 1918 or to March 31, 1920 if service was
6 in Russia; World War II, December 7, 1941 to December 31, 1946; the Korean
7 Conflict, June 27, 1950 to January 31, 1955; the Vietnam War, August 5, 1964 to May
8 7, 1975 and the period beginning on February 28, 1961 and ending on May 7, 1975 in
9 the case of a veteran who served in the Republic of Vietnam during that period;
10 operations in Lebanon, August 21, 1982 to February 26, 1984; operations in Grenada,
11 October 25, 1983 to December 15, 1983; and the Persian Gulf War, August 7, 1990 to
12 the date that the United States Government recognizes as the end of the Persian Gulf
13 War.

14 **Sec. 2. 5 MRSA §18360, sub-§2, ¶E**, as amended by PL 2007, c. 249, §29, is
15 further amended to read:

16 E. Except as provided in paragraph I, a member who served in the armed forces during
17 any federally recognized period of conflict, is entitled to service credit under this
18 subsection. For purposes of this paragraph, "federally recognized period of conflict"
19 means World War I, April 6, 1917 to November 11, 1918 or to March 31, 1920 if
20 service was in Russia; World War II, December 7, 1941 to December 31, 1946; the
21 Korean Conflict, June 27, 1950 to January 31, 1955; the Vietnam War, August 5, 1964
22 to May 7, 1975 and the period beginning on February 28, 1961 and ending on May 7,
23 1975 in the case of a veteran who served in the Republic of Vietnam during that period;
24 operations in Lebanon, August 21, 1982 to February 26, 1984; operations in Grenada,
25 October 25, 1983 to December 15, 1983; and the Persian Gulf War, August 7, 1990 to
26 the date that the United States Government recognizes as the end of the Persian Gulf
27 War.

28 **SUMMARY**

29 This bill amends the state retirement system laws governing creditable service for
30 service in the United States Armed Forces to provide credit for service during operations
31 in Lebanon, occurring from August 21, 1982 to February 26, 1984, and operations in
32 Grenada, occurring from October 25, 1983 to December 15, 1983.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 635

H.P. 412

House of Representatives, February 14, 2023

**An Act to Allow a Retired Law Enforcement Officer to Serve as a
School Resource Officer Without Affecting That Officer's
Retirement Benefits**

(EMERGENCY)

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARLOW of Buxton.

Cosponsored by Representatives: BOYER of Poland, COLLAMORE of Pittsfield, GRIFFIN of
Levant, NESS of Fryeburg, POIRIER of Skowhegan, THORNE of Carmel.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 882

H.P. 548

House of Representatives, February 24, 2023

**An Act to Allow Nonmunicipal Emergency Medical Services
Providers to Be Considered State Employees for Purposes of
Certain Benefits**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SALISBURY of Westbrook.
Cosponsored by Senator CURRY of Waldo and
Representatives: GERE of Kennebunkport, ROEDER of Bangor, Speaker TALBOT ROSS of
Portland.

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

2 **Sec. 1. 5 MRSA §285, sub-§1, ¶K**, as amended by PL 2019, c. 424, §2, is further
3 amended to read:

4 K. Any employee of a school administrative unit as defined in Title 20-A, section 1,
5 subsection 26 or of an educational advisory organization as described in Title 30-A,
6 section 5724, subsection 9; ~~and~~

7 **Sec. 2. 5 MRSA §285, sub-§1, ¶L**, as enacted by PL 2019, c. 424, §3, is amended
8 to read:

9 L. Any employee of an academy approved for tuition purposes in accordance with
10 Title 20-A, sections 2951 to 2955; ~~and~~

11 **Sec. 3. 5 MRSA §285, sub-§1, ¶M** is enacted to read:

12 M. Any emergency medical services person, as defined in Title 32, section 83,
13 subsection 12, employed by an ambulance service or nontransporting emergency
14 medical service licensed in accordance with Title 32, section 86.

15 **Sec. 4. 5 MRSA §17001, sub-§19, ¶F**, as amended by PL 2011, c. 657, Pt. I, §1,
16 is further amended to read:

17 F. Any educational institution in the State teaching courses equivalent to or higher
18 than secondary institutions; ~~or~~

19 **Sec. 5. 5 MRSA §17001, sub-§19, ¶G**, as enacted by PL 2011, c. 657, Pt. I, §2, is
20 amended to read:

21 G. Any public charter school, as authorized by Title 20-A, chapter 112; ~~or~~

22 **Sec. 6. 5 MRSA §17001, sub-§19, ¶H** is enacted to read:

23 H. An ambulance service or nontransporting emergency medical service licensed in
24 accordance with Title 32, section 86 with respect to its employees who are emergency
25 medical services persons as defined in Title 32, section 83, subsection 12.

26 **SUMMARY**

27 This bill allows an ambulance service or nontransporting emergency medical service
28 to participate in the State's Participating Local District Consolidated Retirement Plan as a
29 local district so that its employees who are emergency medical services providers may
30 receive state retirement benefits, death benefits and disability retirement benefits. The bill
31 also allows these employees to be eligible for the state group health plan.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1123

S.P. 457

In Senate, March 9, 2023

**An Act to Create a Presumption That a Cardiovascular Injury or
Disease or Pulmonary Disease Suffered by Certain Law
Enforcement Officers Is in the Course of Employment**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.
Cosponsored by Representative MEYER of Eliot and
Senator: HARRINGTON of York, Representatives: MALON of Biddeford, MASTRACCIO of
Sanford.

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

2 **Sec. 1. 5 MRSA §18511-A** is enacted to read:

3 **§18511-A. Presumption of disability for active law enforcement officers**

4 **1. Active member of law enforcement agency.** For purposes of this section, a person
5 is considered to be an active member of a law enforcement agency, as defined in section
6 4651, if the person is vested by law with the power to make arrests for crimes or serve
7 criminal process, whether that power extends to all crimes or is limited to specific crimes
8 and if the person holds a current and valid certificate issued by the Board of Trustees of the
9 Maine Criminal Justice Academy pursuant to Title 25, section 2803-A.

10 **2. Presumption.** It is presumed that a member incurred a disability in the line of duty
11 that occurred while in actual performance of duty at some definite time and place and that
12 was not caused by the willful negligence of the member if:

13 **A.** The disability is the result of a cardiovascular injury that occurred, or a
14 cardiovascular or pulmonary disease that developed, within 6 months of having
15 participated in law enforcement activities or in a training or drill that involved law
16 enforcement activities; and

17 **B.** The member was an active member of a law enforcement agency, as defined in
18 section 4651, for at least 2 years before the injury or the onset of the disease described
19 in paragraph A.

20 **3. Rebuttal.** This presumption is subject to rebuttal in accordance with the Maine
21 Rules of Evidence, Rule 301.

22 **Sec. 2. 39-A MRSA §328-D** is enacted to read:

23 **§328-D. Cardiovascular injury or disease and pulmonary disease suffered by a law**
24 **enforcement officer or resulting in a law enforcement officer's death**

25 Cardiovascular injury or disease and pulmonary disease suffered by a law enforcement
26 officer or resulting in a law enforcement officer's death are governed by this section.

27 **1. Law enforcement officer defined.** For the purposes of this section, "law
28 enforcement officer" means an active member of a law enforcement agency, as defined in
29 Title 5, section 4651, if the person is vested by law with the power to make arrests for
30 crimes or serve criminal process, whether that power extends to all crimes or is limited to
31 specific crimes and if the person holds a current and valid certificate issued by the Board
32 of Trustees of the Maine Criminal Justice Academy pursuant to Title 25, section 2803-A.

33 **2. Presumption.** There is a rebuttable presumption that a law enforcement officer
34 received the injury or contracted the disease arising out of and in the course of employment,
35 that sufficient notice of the injury or disease has been given and that the injury or disease
36 was not occasioned by the willful intention of the law enforcement officer to cause self-
37 injury or injury to another if the law enforcement officer has been an active member of a
38 law enforcement agency, as defined in Title 5, section 4651, for at least 2 years prior to a
39 cardiovascular injury or the onset of a cardiovascular disease or pulmonary disease and if:

40 **A.** The disease has developed or the injury has occurred within 6 months of having
41 participated in law enforcement activities or in a training or drill that involved law
42 enforcement activities; or



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1759

S.P. 706

In Senate, April 24, 2023

**An Act to Clarify the Disability Retirement Program of the Maine
Public Employees Retirement System**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DUSON of Cumberland.
Cosponsored by Representative OSHER of Orono and
Senators: HICKMAN of Kennebec, INGWERSEN of York, TIPPING of Penobscot,
Representatives: BRENNAN of Portland, DODGE of Belfast, MALON of Biddeford,
ROEDER of Bangor, Speaker TALBOT ROSS of Portland.

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

2 **Sec. 1. 4 MRSA §1201, sub-§10-B** is enacted to read:

3 **10-B. Gainful occupation.** "Gainful occupation" means work done by a retiree for
4 pay or for the generation of profit primarily by means of the retiree's own productive work
5 activity.

6 **Sec. 2. 4 MRSA §1353, sub-§4, ¶B**, as corrected by RR 2021, c. 1, Pt. B, §45, is
7 amended to read:

8 B. After that period, the allowance continues only if the beneficiary is unable to engage
9 in any substantially gainful activities for which the beneficiary is qualified by training,
10 education or experience. The board, chief executive officer and hearing officers shall
11 consider medical and vocational evidence in determining whether the beneficiary has
12 the physical, mental and vocational capabilities to perform substantially gainful
13 activity.

14 **Sec. 3. 5 MRSA §17103, sub-§11**, as amended by PL 2021, c. 548, §§12 to 16, is
15 further amended to read:

16 **11. Report to Legislature.** The board shall make a written report to the appropriate
17 legislative committee on or before March 1st of each year that must contain:

18 A. A discussion of any areas of policy or administration that, in the opinion of the
19 board, should be brought to the attention of the committee;

20 B. Any proposed legislation amending the retirement system law that the board
21 recommends to improve the retirement system. The joint standing committee of the
22 Legislature having jurisdiction over public employee retirement matters may submit
23 legislation required to implement recommendations made pursuant to this paragraph;

24 D. A review of the operations of the retirement system, including a summary of
25 administrative expenses and improvements in the delivery of services to members of
26 the retirement system;

27 E. A budget report showing the budget status of the administrative operations and
28 functions of the system for the current fiscal year relative to the budget for the current
29 fiscal year;

30 F. The number of individuals who retired in the previous calendar year categorized by
31 plan status;

32 G. The number of new active members of the retirement system who became members
33 during the previous year, by plan status;

34 H. The amount of earnings on investment in the previous calendar year;

35 I. The total amount of employee and employer contributions to the retirement system
36 in the previous calendar year and the total ~~amount of~~ payout amounts to retirees service
37 retirement members and to disability beneficiaries, categorized by plan status;

38 J. The number of persons who applied for disability retirement during the previous
39 calendar year including:

40 (1) The number of applicants for disability retirement who were awarded benefits
41 at the application stage;

1 (3) The number of applicants for disability retirement who appealed decisions that
2 denied disability retirement status; and

3 (4) The number of applicants who were granted disability retirement following
4 their appeals; ~~and~~

5 K. Data from a survey of members and employees that measures the level of
6 satisfaction and experience that members and employees have with the retirement
7 system. For the purposes of this paragraph, "employee" means an employee of the
8 retirement system.;

9 L. The number of service retirement members and number of disability beneficiaries
10 on January 1st in the previous calendar year;

11 M. The number of administrative decisions during the previous calendar year
12 concerning a disability beneficiary's ability to engage in substantially gainful activity;

13 N. The number of disability beneficiaries who were actively seeking work at any time
14 during the previous calendar year under section 17929, subsection 2, paragraph B,
15 subparagraph (1) and section 18529, subsection 2, paragraph B, subparagraph (1) and
16 rules adopted pursuant to those sections regarding standards for actively seeking work;

17 O. The status of disability beneficiaries whose benefits were suspended, reduced or
18 terminated during the previous calendar year, including:

19 (1) The number of disability beneficiaries whose benefits were suspended for
20 failure to submit an annual statement of compensation or earnings in a timely
21 manner;

22 (2) The number of disability beneficiaries whose benefits were reduced because
23 they exceeded the limit of allowable annual earnings;

24 (3) The number of disability beneficiaries whose benefits were terminated because
25 they exceeded the limit of allowable annual earnings;

26 (4) The number of appeals of decisions to suspend, reduce or terminate disability
27 retirement benefits; and

28 (5) The results of appeals of decisions to suspend, reduce or terminate disability
29 retirement benefits.

30 **Sec. 4. 5 MRSA §17901**, as enacted by PL 1985, c. 801, §§5 and 7, is amended by
31 enacting at the end a new paragraph to read:

32 As used in this article, unless the context otherwise indicates, "gainful occupation"
33 means work done by a retiree for pay or for the generation of profit primarily by means of
34 the retiree's own productive work activity.

35 **Sec. 5. 5 MRSA §17907, sub-§2, ¶B**, as amended by PL 2003, c. 675, §1 and PL
36 2021, c. 548, §45, is further amended to read:

37 B. After the disability has continued for 5 years, the disability of the beneficiary must
38 render the beneficiary unable to engage in any substantially gainful activity for which
39 the beneficiary is qualified by training, education or experience. The board, chief
40 executive officer and hearing officers shall consider medical and vocational evidence
41 in determining whether the beneficiary has the physical, mental and vocational

1 capabilities to perform substantially gainful activity. For purposes of this paragraph,
2 the ability to engage in substantially gainful activity is demonstrated by the ability to
3 perform work resulting in annual earnings that exceed \$20,000 or 80% of the
4 recipient's average final compensation at retirement, whichever is greater, adjusted by
5 the same percentage adjustments granted under section 17806.

6 (1) The chief executive officer may require, once each year, a recipient of a
7 disability retirement benefit to undergo medical examinations or tests, conducted
8 in accordance with section 17903, to determine the disability of the beneficiary.

9 (2) If the beneficiary refuses to submit to the examination or tests under
10 subparagraph (1), the beneficiary's disability retirement benefit is discontinued
11 until the beneficiary withdraws the refusal.

12 (3) If the beneficiary's refusal under subparagraph (2) continues for one year, all
13 the beneficiary's rights to any further benefits under this article cease.

14 (4) If it is determined, on the basis of the examination or tests under subparagraph
15 (1), that the disability of a beneficiary no longer exists, the payment of the
16 beneficiary's disability retirement benefit ceases;

17 **Sec. 6. 5 MRSA §17921, sub-§3** is enacted to read:

18 **3. Gainful activity.** "Gainful activity" means work done by a retiree for pay or for
19 the generation of profit primarily by means of the retiree's own productive work activity.

20 **Sec. 7. 5 MRSA §17929, sub-§2, ¶B,** as amended by PL 2021, c. 277, §25 and c.
21 548, §45, is further amended by amending subparagraph (1) to read:

22 (1) After the disability has continued for 2 years, the disability must render the
23 person unable to engage in any substantially gainful activity that is consistent with
24 the person's training, education or experience and average final compensation
25 adjusted by the same percentage adjustment as has been received under section
26 17806. The board, chief executive officer and hearing officers shall consider
27 medical and vocational evidence in determining whether the beneficiary has the
28 physical, mental and vocational capabilities to perform substantially gainful
29 activity. The disability retirement benefit continues if the person can effectively
30 demonstrate to the chief executive officer that the person is actively seeking work.
31 For the purposes of this subparagraph, the ability to engage in substantially gainful
32 activity is demonstrated by the ability to perform work resulting in annual earnings
33 that exceed \$20,000 or 80% of the recipient's average final compensation at
34 retirement, whichever is greater, adjusted by the same percentage adjustments
35 granted under section 17806.

36 **Sec. 8. 5 MRSA §18501,** as enacted by PL 1985, c. 801, §§5 and 7, is amended by
37 enacting at the end a new paragraph to read:

38 As used in this article, unless the context otherwise indicates, "gainful occupation"
39 means work done by a retiree for pay or for the generation of profit primarily by means of
40 the retiree's own productive work activity.

41 **Sec. 9. 5 MRSA §18507, sub-§2, ¶B,** as amended by PL 2003, c. 675, §3 and PL
42 2021, c. 548, §45, is further amended to read:

1 B. After the disability has continued for 5 years, the disability of the beneficiary must
2 render the beneficiary unable to engage in any substantially gainful activity for which
3 the beneficiary is qualified by training, education or experience. The board, chief
4 executive officer and hearing officers shall consider medical and vocational evidence
5 in determining whether the beneficiary has the physical, mental and vocational
6 capabilities to perform substantially gainful activity. For purposes of this paragraph,
7 the ability to engage in substantially gainful activity is demonstrated by the ability to
8 perform work resulting in annual earnings that exceed \$20,000 or 80% of the recipient's
9 average final compensation at retirement, whichever is greater, adjusted by the same
10 percentage adjustments granted under section 18407.

11 (1) The chief executive officer may require, once each year, a recipient of a
12 disability retirement benefit to undergo medical examinations or tests, conducted
13 in accordance with section 18503, to determine the disability of the beneficiary.

14 (2) If the beneficiary refuses to submit to the examination or tests under
15 subparagraph (1), the beneficiary's disability retirement benefit is discontinued
16 until the beneficiary withdraws the refusal.

17 (3) If the beneficiary's refusal under subparagraph (2) continues for one year, all
18 the beneficiary's rights to any further benefits under this article cease.

19 (4) If it is determined, on the basis of the examination or tests under subparagraph
20 (1), that the disability of a beneficiary no longer exists, the payment of the
21 beneficiary's disability retirement benefit ceases.

22 **Sec. 10. 5 MRSA §18521, sub-§3** is enacted to read:

23 **3. Gainful activity.** "Gainful activity" means work done by a retiree for pay or for
24 the generation of profit primarily by means of the retiree's own productive work activity.

25 **Sec. 11. 5 MRSA §18529, sub-§2, ¶B,** as amended by PL 2021, c. 277, §38 and
26 c. 548, §45, is further amended by amending subparagraph (1) to read:

27 (1) After the disability has continued for 2 years, the disability must render the
28 person unable to engage in any substantially gainful activity that is consistent with
29 the person's training, education or experience and average final compensation
30 adjusted by the same percentage adjustment as has been received under section
31 18407. The board, chief executive officer and hearing officers shall consider
32 medical and vocational evidence in determining whether the beneficiary has the
33 physical, mental and vocational capabilities to perform substantially gainful
34 activity. The disability retirement benefit continues if the person can effectively
35 demonstrate to the chief executive officer that the person is actively seeking work.
36 For purposes of this subparagraph, the ability to engage in substantially gainful
37 activity is demonstrated by the ability to perform work resulting in annual earnings
38 that exceed \$20,000 or 80% of the recipient's average final compensation at
39 retirement, whichever is greater, adjusted by the same percentage adjustments
40 granted under section 18407.

41 **Sec. 12. Application.** This Act applies to the disability retirement benefit program
42 of the Maine Public Employees Retirement System on the effective date of this Act.

1 **SUMMARY**

2 This bill amends the laws relating to disability retirement under the Maine Public
3 Employees Retirement System. The bill:

4 1. Provides that the Board of Trustees of the Maine Public Employees Retirement
5 System, the Chief Executive Officer of the Maine Public Employees Retirement System
6 and hearing officers shall consider medical and vocational evidence in determining whether
7 the beneficiary has the physical, mental and vocational capabilities to perform substantially
8 gainful activity;

9 2. Defines the term "gainful activity" in the article governing disability retirement
10 benefits after September 30, 1989 for state employees and teachers and the article
11 governing disability retirement benefits for participating local districts;

12 3. Defines the term "gainful occupation" in the chapter governing judicial retirement
13 on or after December 1, 1984, the article governing disability retirement benefits of state
14 employees and teachers and the article governing disability retirement benefits for
15 participating local districts; and

16 4. Requires that the retirement system's annual report to the joint standing committee
17 of the Legislature having jurisdiction over retirement matters include statistics about
18 administrative decisions affecting the benefits of disability beneficiaries, appeals of those
19 decisions and the overall numbers of disability retirement beneficiaries.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 733

S.P. 291

In Senate, February 16, 2023

**An Act to Require an Annual Itemized Statement of Benefits for
Public Employees and Retirees**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator POULIOT of Kennebec.
Cosponsored by Senator: KEIM of Oxford.

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

2 **Sec. 1. 5 MRSA §19-C** is enacted to read:

3 **§19-C. Public employer and Maine Public Employees Retirement System to provide**
4 **annual employee benefits statement**

5 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
6 following terms have the following meanings.

7 A. "Employee benefits" includes, but is not limited to, salary or wages, health insurance
8 and compensated leave such as vacation, holiday and sick leave.

9 B. "Retirement system" has the same meaning as in section 17001, subsection 36.

10 **2. Public employer to provide employee with annual employee benefits statement.**
11 Beginning January 1, 2024 and annually thereafter, a public employer shall provide to each
12 public employee, both electronically and by mail, the following information covering the
13 preceding fiscal year as it applies to that individual public employee:

14 A. An itemized statement of all employee benefits the employee or retiree accrued or
15 received;

16 B. An itemized statement of all pension benefits the employee or retiree accrued or
17 received;

18 C. The total amount of employer contributions made from funds appropriated by the
19 Legislature to the retirement system; and

20 D. The total amount of employer contributions made from funds appropriated by the
21 Legislature to the applicable health insurance plan, including the group health plan as
22 described in chapter 13, subchapter 2.

23 **3. Responsibility of administering annual employee benefits statement.** Each
24 public employer is responsible for administering the annual employee benefits statement
25 described in subsection 2. The public employer shall coordinate with the entities
26 responsible for administering the employee benefits.

27 **4. Duties of retirement system.** The retirement system shall provide public employers
28 with the information required in subsection 2 if necessary. The retirement system shall
29 provide to retirees the information in subsection 2, paragraphs A to D.

30 **Sec. 2. 5 MRSA §17103, sub-§15** is enacted to read:

31 **15. Create online dashboard for member use.** The board shall create and display
32 on a publicly accessible website a dashboard for a member to use that will calculate, based
33 on data provided by the member related to the member's average monthly expenses, how
34 much money the member needs in retirement benefits to provide for the member's average
35 monthly expenses. The dashboard must include a provision that accounts for an inflation
36 increase of 3%.

37 **SUMMARY**

38 This bill requires a public employer to provide to public employees and the Maine
39 Public Employees Retirement System to provide to retirees an annual statement that
40 includes the following:

- 1 1. Employee benefits the employee or retiree accrued or received;
- 2 2. All pension benefits the employee or retiree accrued or received;
- 3 3. The total amount of employer contributions made from funds appropriated by the
- 4 Legislature to the retirement system; and
- 5 4. The total amount of employer contributions made from funds appropriated by the
- 6 Legislature to the applicable health insurance plan.
- 7 The bill also requires the Maine Public Employees Retirement System board of trustees
- 8 to create and display on a publicly accessible website a dashboard for a member to use to
- 9 calculate the member's retirement needs.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 742

S.P. 300

In Senate, February 16, 2023

An Act to Divest State Pensions from Companies Boycotting Maine Lobster

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Representative FAULKINGHAM of Winter Harbor and
Senators: KEIM of Oxford, MOORE of Washington.

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

2 **Sec. 1. 5 MRSA §1959** is enacted to read:

3 **§1959. Companies that boycott Maine lobster**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Board" has the same meaning as in section 17001, subsection 7.

7 B. "Boycotting company" means any corporation or company that trades in lobsters
8 and that has publicly stated it will not trade in lobsters caught in Maine waters, whether
9 by not purchasing, not selling or otherwise not trading in such Maine lobsters, or caught
10 by any person licensed by the Department of Marine Resources to fish for, take or catch
11 lobsters.

12 C. "Retirement system" means the Maine Public Employees Retirement System.

13 **2. Board may not invest.** The board, in accordance with sound investment criteria
14 and consistent with fiduciary obligations, may not invest the assets of the retirement system
15 in any stocks, securities or other obligations of any boycotting company. Nothing in this
16 subsection precludes de minimis exposure of any funds held by the board to the stocks,
17 securities or other obligations of any boycotting company.

18 **3. Board to divest.** The board shall review the extent to which the assets of the
19 retirement system are invested in any stocks, securities or other obligations of any
20 boycotting company and shall, in accordance with sound investment criteria and consistent
21 with fiduciary obligations, divest any such holdings. Nothing in this subsection precludes
22 de minimis exposure of any funds held by the board to the stocks, securities or other
23 obligations of any boycotting company.

24 **SUMMARY**

25 This bill requires the Board of Trustees of the Maine Public Employees Retirement
26 System to divest any stocks, securities or other obligations of any corporation or company
27 that trades in lobsters and that has publicly stated it will not trade in lobsters caught in
28 Maine waters, whether by not purchasing, not selling or otherwise not trading in such
29 Maine lobsters, or caught by any person licensed by the Department of Marine Resources
30 to fish for, take or catch lobsters.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1152

S.P. 479

In Senate, March 13, 2023

**An Act to Make Long-term Disability Insurance Coverage Available
to Public Employees**

Reference to the Committee on Health Coverage, Insurance and Financial Services
suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator INGWERSEN of York.
Cosponsored by Representative MALON of Biddeford and
Senators: DAUGHTRY of Cumberland, TIPPING of Penobscot, Representatives: BRENNAN
of Portland, GERE of Kennebunkport, PLUECKER of Warren, SHEEHAN of Biddeford.

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

2 **Sec. 1. 5 MRSA §18101**, as enacted by PL 2017, c. 378, §1, is amended to read:

3 **§18101. Long-term disability insurance coverage ~~authorized~~ required**

4 The board ~~may~~ shall offer long-term disability insurance coverage to members through
5 their employer and may contract with one or more insurance companies to provide this
6 coverage. An employer shall offer the long-term disability insurance coverage or
7 substantially equivalent coverage from another source to the employer's employees that are
8 members.

9 **1. Premiums.** All premiums and any other amounts due to an insurance company or
10 other 3rd party in connection with coverage offered by the board under this subchapter
11 must be borne by the ~~covered person, the covered person's employer or both the covered~~
12 ~~person and the covered person's employer.~~

13 **1-A. Benefits.** The coverage offered by the board under this subchapter must provide
14 for a monthly benefit payment amount of not more than \$8,000 and not less than \$100,
15 including applicable offsets. The monthly benefit payment must be in an amount to replace:

16 A. For a member who would receive a disability retirement benefit equal to 59% of
17 the member's average final compensation if qualified for disability retirement benefits,
18 59% of the covered member's income from the employer providing the coverage; or

19 B. For a member who would receive a disability retirement benefit equal to 66 2/3%
20 of the member's average final compensation if qualified for disability retirement
21 benefits, 66 2/3% of the covered member's income from the employer providing the
22 coverage.

23 **2. Rules.** The board may adopt rules to implement this subchapter. Rules adopted
24 pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter
25 2-A.

26 **Sec. 2. 5 MRSA §18701**, as enacted by PL 2017, c. 378, §2, is amended to read:

27 **§18701. Long-term disability insurance coverage ~~authorized~~ required**

28 The board ~~may~~ shall offer long-term disability insurance coverage to members and
29 employees who choose not to become members but participate in the defined contribution
30 plan pursuant to section 18801, subsection 1 through their employer and may contract with
31 one or more insurance companies to ~~provide~~ offer this coverage. An employer shall
32 provide the long-term disability insurance or substantially equivalent coverage from
33 another source to the employer's employees who are members or participants in the defined
34 contribution plan pursuant to section 18801, subsection 1.

35 **1. Premiums.** All premiums and any other amounts due to an insurance company or
36 other 3rd party in connection with coverage offered by the board under this subchapter
37 must be borne by the ~~covered person, the covered person's employer or both the covered~~
38 ~~person and the covered person's employer.~~

39 **1-A. Benefits.** The coverage offered by the board under this subchapter must provide
40 for a monthly benefit amount of not more than \$8,000 and not less than \$100, including
41 applicable offsets. The monthly benefit payment must be in an amount to replace:



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1230

H.P. 778

House of Representatives, March 21, 2023

**Resolve, Directing the Maine Public Employees Retirement System
to Study the Creation of an Interstate Compact Concerning the
Windfall Elimination Provision and Government Pension Offset**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GREENWOOD of Wales.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: BRENNAN of Portland, DODGE of Belfast, DRINKWATER of Milford,
FAULKINGHAM of Winter Harbor, HAGGAN of Hampden, WOODSOME of Waterboro,
Senators: KEIM of Oxford, NANGLE of Cumberland.

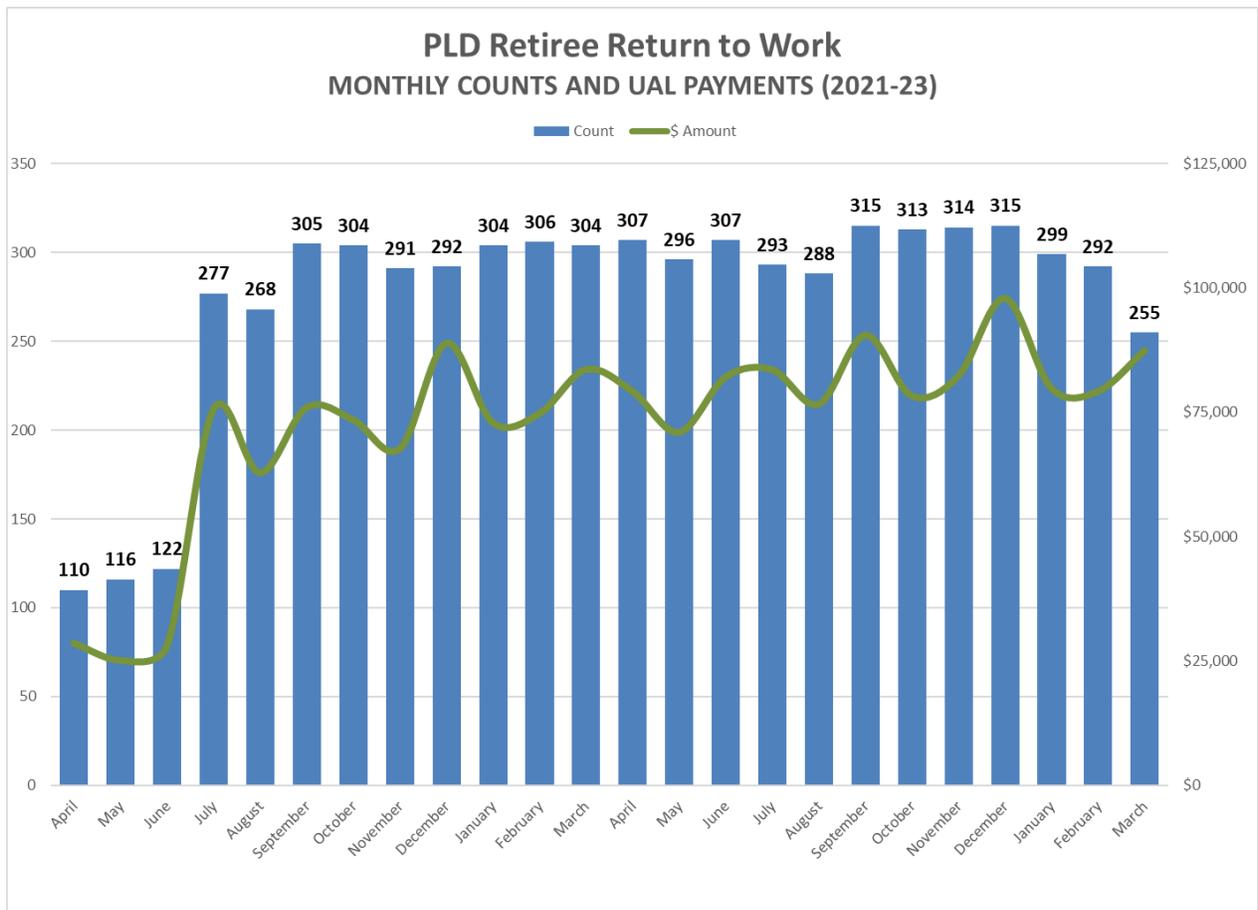
Date: April 21, 2023
To: PLD Advisory Committee
From: Sherry Vandrell, Chief Financial Officer
Subject: Employer Auditing Update

Since our last report, one additional review of PLD employers has been completed, for a total of 86 since the inception of the program. One review is currently in process. The pace of the reviews has been slowed due to staffing availability impacting our ability to efficiently support the closing of audit findings. We will increase the pace of reviews as staffing allows.

Of the 86 PLD reviews completed to date, 80 have resulted in findings related to contributions and/or missing paperwork. These findings include both reporting contributions on compensation that is not considered earnable for the Plan resulting in the need for a refund, as well as not reporting contributions for compensation that is considered earnable, resulting in the need to collect additional contributions. Other findings include missing membership applications for declining members, missing termination dates, and other paperwork related issues. To date, approximately 82% of all findings identified have been resolved satisfactorily.

Date: April 21, 2023
To: PLD Advisory Committee
From: Sherry Vandrell, Chief Financial Officer
Subject: RRTW Reporting Summary

The chart below provides information on the number of RRTW employees reported in each of the last 24 months (from April 2022 through March 2023) and the amount of UAL contributions being collected as a result. The chart shows that the number of RRTW employees being reported continues to remain fairly steady. The dip in March of 2023 is related to timing for releasing March payrolls into our V3 application. Those numbers will be updated with the next report.



PLD Plan Activity Memo

Date: May 2, 2023
 To: PLD Advisory Committee Members
 From: Deanna Doyle, PLD Plan Administrator

New or Rejoining PLD Employers (2)

Employer	Plan	Effective	# of Members or Potential Members	Comments
Carmel, Town of (P0390)	AC	4/1/2023	12	Join effective 4/1/2023 for employees who work more than 20 hours per week and who are not seasonal or temporary and for elected/appointed officials under AC. Allowing purchase of prior service at employees' expense. Also picking up a 457 plan through MaineStart
Cornish, Town of (P0393)	AN	5/1/2023	2	Join effective 5/1/2023 for Town Clerk and Deputy Town Clerk under AN. Allowing purchase of prior service at employee's expense

Employer Plan Changes (3)

Employer	New Plan	Old Plan	# of Members	Comments
Franklin County (P0102)	N/A	N/A	N/A	Franklin County adopted the limited period open enrollment provision. Beginning with the annual open enrollment in 2023, non-participating, eligible employees with less than 5 years of employment will have additional opportunity to join MainePERS
RSU #49 - MSAD #49 Fairfield-Support	AN	N/A	12	Added coverage for school secretaries under An effective 7/1/2023 and is allowing these newly eligible employees who join to purchase credit for prior service with the RSU
Wilton, Town of (P0086)	N/A	N/A	N/A	Town of Wilton had adopted the limited period open enrollment provision at its first regular Town Meeting following rule change on 6/20/2022 so the provision can apply to those with more than 5 years of employment. Working with Town to do clean up as we did not receive action until March 2023

Pending Plan Change Inquiries (33)

Employer Plan	New Plan	Old Plan	# of Members	Comments
Bangor, City of (P0020)	1C or 3C	2C	63	Adopt 1C or 3C for police officers future service only
Bangor, City of (P0020)	AC	N/A	?	Add coverage for general government employees under AC
Bangor, City of (P0020)	1C	3C	87	Adopt 1C from 3C for firefighters future service only - if make change existing firefighters will make an election to remain in 3C or move to 1C.
Bar Harbor, Town of (P0015)	3C	4C	11	Adopt 3C for firefighters for future service only or all service
Belgrade, Town of (P0383)	AC	N/A	?	Add coverage under AC for general gov't employees
Boothbay Harbor, Town of (P0146)	AC/3C	2C	7	Adopt 3C for public safety (2) and adopt AC for general gov't new hires - existing general gov't ees remain under 2C
Clinton, Town of (P0385)	AC or 2C	N/A	1	Add coverage for Town Manager under 2C or AC
Cumberland County (P0005)	3C	2C	57	Adopt 3C future service only for law enforcement officers
Dover-Foxcroft, Town of (P0167)	AC, 2C	AN	23	Adopt COLA and/or Special Plan future service only

Pending Plan Change Inquiries (Continued)

Employer Plan	New Plan	Old Plan	# of Members	Comments
Hancock County (P0056)	2C or 3C	4C < 7/1/2020	21	Adopt 2C for all service for Law Enforcement Officers -would upgrade service before 7/1/2020 to 2C from 4C 1/1/2018 - 6/30/2020 and from AC < 1/1/2018. Study pending
Hermon, Town of (P0150)	AC or 2C	AN	14	Adopt COLA and/or Special Plan future service only
Houlton, Town of (P0010)	3C	AC	?	Adopt 3C for future service only for EMS employees
Mexico, Town of (P0074)	3C	2C	4	Adopt 3C for future service only for police - heard from labor but not from Town on this
Milford, Town of (P0186)	2C, 3C or 4C	AC	3	Adopt special plan for firefighters
New Gloucester, Town of (P0210)	3C	AC	1	Adopt 3C for future service only or for all service for Firefighters 6/1 or 7/1/2023
Old Orchard Beach, Town of (P0140)	3C or 1C	2C	17	Adopt 3C or 1C future service only for Fire/EMS
Old Town, City of (P0111)	3C	3N	25	Adopt 3C for firefighters for future service only
Orrington, Town of (P0209, P0209A)	AC	AN	15	Adopt Cola for all service or future service only
Pittsfield, Town of (P0110)	AC, 2C, 3C	AN	?	Adopt better plan for some or all classifications of employees
Presque Isle, City of (P0004)	2C	AC	?	Adopt 2C for public works employees future service only
Richmond, Town of (P0213)	1C,2C,3C,4C	AC	1	Adopt special plan for police future service only
RSU #29 - MSAD #29 Houlton (P0168)	AC	AC	?	Add coverage for additional classifications of school support employees under AC
South Berwick, Town of (P0141)	3C	1C	6	Adopt 3C for police who elect to move from 1C and new hires -All Service or Future Service Only (Study)
Standish, Town of (P0371)	2N	2C	15	Adopt 2C for future service only for all covered EES
Waldo County, Waldo County Jail (P0046J)	3C	2C	15	Adopt 3C for future service only for corrections employees
Waldo County (P0046)	3C	AC	17	Adopt 3C for Dispatchers future service only effective 1/1/2024
Waterboro, Town of (P0356)	AN, 3N	N/A	?	Add coverage for part-time employees who work less than 32 hrs/wk but more than 20 hrs/wk and/or for elected/appointed officials under existing applicable plan AN or 3N
Waterville Fire & Police (City of Waterville - P0066)	AC	N/A	?	Add coverage under AC for City Manager and potentially other General Gov't employees - currently only cover Fire & Police under 3C
Wells Fire and Police (P0349)	1C	2C	19	Adopt 1C for police future service only or all service
Wells, Town of (P0107)	AC	AN	40	Adopt AC future service only or all service for gen govt and dispatchers with service before 7/1/2020
West Bath, Town of (P0333)	3C	AC	1	Adopt 3C for all service prior to 8/1/2021 for firefighters
West Bath, Town of (P0333)	AC	N/A	?	Add coverage for school dept employees under Regular Plan AC
Winslow, Town of (P0362)	AC	N/A	?	Add coverage for full-time, non-union general gov't and appointed officials. Currently only cover union public works and public safety employees

Pending New or Rejoining PLD Employer Inquiries (21)				
Employer	In Addition to SS?	Effective	# of Potential Members	Comments
Arundel, Town of	Yes	2022	?	New - Join for Fire/EMS
Bristol, Town of	Yes	2023	?	New
Charleston, Town of	No	2023	?	New
Fiddlehead School	No	2023	?	New
Gouldsboro, Town of	Yes	2023	?	New - Join for Police & Harbor Masters
Gray, Town of	Yes	2023	?	New - Join for Fire/EMS
Hebron, Town of	No	2023	?	New
Howland, Town of	Yes	2023	?	Rejoin 7/1/2023 under Consolidated Plan for Public Safety Employees under 3C
Kenduskeag, Town of	Yes	2023	2	New PLD - join for new fire chief, firefighter
Machias, Town of	Yes	2023	?	New PLD - Join 7/1/2023 for police under 1C or 3C
Northern Oxford Regional Amulance Service	No	2023	?	New
Norridgewock, Town of	Yes	2023	?	New - Join for Fire/EMS
North Yarmouth, Town of	Yes	2022	?	New - Join under 3C for Fire/EMS and potentially AC general gov't
Peru, Town of	Yes	2023	?	New PLD - also wants 457 Plan with MaineStart
Portland Water District	Yes	2023	180	New PLD - join under AC or 2C
Raymond, Town of	Yes	2022	?	New
Region 9 Technical Center	No	2023	?	New
RSU #35 - MSAD #35	Yes	2023	?	New School Support PLD
RSU #87 - MSAD #23	No	2023	?	New School Support PLD
Vinalhaven, Town of	Yes	2023	?	New
Windsor, Town of	Yes	2023	?	New
Active Withdrawal /Partial Withdrawal Inquiries (2)				
Employer	In Addition to SS?	Effective	# of Potential Members	Comments
Community Regional Charter School (P0345)	No	TBD	?	Considering excluding Ed Tech Levels I & II, Administrative and Custodial Staff going forward
Midcoast Council of Governments (P0343)	No	TBD	?	Wants to make full withdrawal, have not be administering plan appropriately for several years so need to resolve membership issues first
PLD Employers Dissolving/Going Out of Business (1)				
Employer	In Addition to SS?	Effective	# of Potential Members	Comments
Harpswell Coastal Academy (P0350)	No	End of 2022/2023 SY	24	School's charter was not renewed and so they are closing their doors at the end of the 2022/2023 SY. We are working with ER to get information to affected EES about their options regarding MainePERS.