

## 2019 Legislative Update

### LEGISLATION ENACTED DURING THE 129<sup>th</sup> FIRST REGULAR SESSION

#### **An Act to Prohibit Consideration of Naloxone in Life Insurance Underwriting**

PL 2019, c. 203 [L.D. 1047]  
Effective Date: September 19, 2019

This law prohibits a denial or limitation of coverage or an increase in insurance premiums under a life insurance policy based on the fact that an individual has been issued a prescription for or has purchased naloxone hydrochloride.

#### **An Act to Enact the Maine Death with Dignity Act**

PL 2019, c. 271 [L.D. 1313]  
Effective Date: September 19, 2019

There is one aspect of this enacted law that is relevant to MainePERS. As it relates to life insurance, the law prohibits the availability or cost of the coverage from being based on a request for medication to end the individual's life. It also prohibits the denial of benefits to the beneficiary of an individual who acts in accordance with this law.

#### **An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021**

PL 2019, c. 343 [L.D. 1001]  
Effective Date: July 17, 2019

This law is the State budget for fiscal years 2020 and 2021. It includes funding for the State Employee/Teacher, Legislative and Judicial Retirement Programs and the Group Life Insurance Program, and appropriations for the pay-as-you-go benefit plans for retired Governors and certain retired Judges.

#### **An Act to Create Fairness for Dispatchers in the Maine Public Employees Retirement System**

PL 2019, c. 364 [L.D. 1395]  
Effective Date: September 19, 2019

This law permits participating local district employers to elect to cover its dispatchers, as defined in the bill, by a special plan. Dispatchers are not eligible for coverage in a special plan that permits retirement with less than 25 years of service.

**An Act to Exclude Collectively Bargained Salary and Job Promotion Increases from the Earnable Compensation Limitation for Retirement Purposes**

PL 2019, c. 395 [L.D. 1620]  
Effective Date: September 19, 2019

This law excludes collectively bargained salary and wage increases and job promotions from the 5%/10% cap on earnable compensation to be included in benefit calculations.

**An Act to Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work**

PL 2019, c. 436 [L.D. 1220]  
Effective Date: September 19, 2019

This law removes the compensation and time limit restrictions for retired state employees and teachers who return to work. Those who return to work as a classroom-based employee or school administrator may do so under one-year contracts, and there is no limit to the number of contracts that the individual may have. The law also clarifies the employment benefits to which the returning individual is entitled, and specifies the contributions that must be made to MainePERS toward the unfunded actuarial liability (UAL) and to the state group health plan.

**An Act to Improve Recruitment and Retention in State Law Enforcement by Offering Retirement Service Credit**

PL 2019, c. 459 [L.D. 1400]  
Effective Date: September 19, 2019

This law permits the purchase of up to 4 years of service as a law enforcement officer earned with a federal, state, county or local law enforcement agency before becoming a MainePERS member. The member must have at least 15 years of creditable service to be eligible to purchase the service, and the cost is the full actuarial equivalent of the benefit based on the additional service that is purchased. The member must provide certification that the service to be purchased has not and will not be used to obtain other retirement benefits.

**An Act to Amend the Laws Governing the Collective Bargaining Rights of Employees of School Management and Leadership Centers**

PL 2019, c. 460 [L.D. 1412]  
Effective Date: September 19, 2019

This law amends the definition of teacher to include employees of school management and leadership centers who otherwise meet the definition. The law also makes clear that the school management and leadership center is responsible for the payment of normal costs for its employees who are in the teacher plan.

**An Act to Modify Retirement Plans for Fire Investigators and Sergeants**

PL 2019, c. 482 [L.D. 1480]  
Effective Date: September 19, 2019

This bill removes state fire marshal investigators, state fire marshal senior investigators and state fire marshal sergeants from the 1998 Special Plan and places them in a new special plan that provides for retirement after 20 years of service, regardless of age. The effective date of the new plan is July 1, 2020.