94-411 MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM

Chapter 703: ADVISORY RULINGS

SUMMARY: This Chapter establishes the procedures for the submission, consideration and disposition for requests for advisory rulings as required by 5 M.R.S. § 9001.

SECTION 1. PURPOSE

The purpose of this Chapter is to explain the guidelines around advisory rulings by the Maine Public Employees Retirement System ("MainePERS").

SECTION 2. DELEGATION OF AUTHORITY

Pursuant to statute, for purposes of this Chapter, the Board of Trustees delegates to the Chief Executive Officer its authority to act as the final administrative decisionmaker of the Board of Trustees and authorizes the Chief Executive Officer to further designate another MainePERS staff member or members to act.

SECTION 3. SCOPE

On the submission of a request for an advisory ruling by an interested person, the Chief Executive Officer or designee may issue an advisory ruling in accordance with 5 M.R.S.A. § 9001, concerning the applicability of a statute or rule administered by MainePERS to existing facts. Chief Executive Officer or designee may, in their discretion, decline to issue an advisory ruling (in whole or in part) if the request is hypothetical, if there is insufficient information on which to base a ruling, or for any other reason they deem proper.

SECTION 4. SUBMISSION OF REQUEST FOR AN ADVISORY RULING

A request for an advisory ruling must be submitted to MainePERS in writing and must set forth in detail all pertinent facts related to the question presented. Upon request of the Chief Executive Officer or designee, the requestor must submit any additional information that is determined is necessary to issue the advisory ruling. All submissions requesting an advisory ruling must be directed to:

Maine Public Employees Retirement System
P.O. Box 349
Augusta, ME 04332

SECTION 5. DISPOSITION

Any advisory ruling issued by Chief Executive Officer or designee will be in writing and will state that an advisory ruling is not binding on MainePERS.

STATUTORY AUTHORITY:
5 M.R.S. §§ 9001, 17103, and 17105

EFFECTIVE DATE: (NEW): August 3, 2026 – filing 2026-180