

# MAINE STATE LEGISLATURE

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November 20, 1952

To: Earle R. Hayes, Sectary

Dept. Maine State Retirement System

Re: Maine Municipal Association

This office has been asked if the Maine Municipal Association comes within the definition of the term "political subdivision" as defined in Chapter 395 of the Public Laws of 1951, which Act gives to such political subdivision the right to participate in the benefits extended under the Federal Social Security Act.

Section 2 of Chapter 60-A, being Chapter 395 of the Public Laws of 1951, defines a political subdivision as including "associations of municipalities. . . but only if such instrumentality is a juristic entity." Since our conversation of a few days ago we have come to a different conclusion with respect to the eligibility of the Association to participate under the Act. We have noted from time to time in our conversations that basically the definition as contained in the Federal Act will govern the determination of the eligibility of those requesting to come within the Act.

We have inquired of the Secretary of State and have been advised that the Maine Municipal Association is not a corporation and is not therefore a juristic entity; and because of the last clause in the paragraph defining political subdivision it would therefore fail to qualify for participation.

James Glynn Frost  
Deputy Attorney General

jgf/c