

MAINE STATE LEGISLATURE

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November 1, 1973

William G. Blodgett, Exec. Dir.

Maine State Retirement System

Charles R. Larouche, Assistant

Attorney General

Eligibility of Community School District for Participation in the
State Retirement System

This replies to your memo of October 29, 1973, on this subject. You ask whether or not a community school district can become a local participating district in the State Retirement System. The answer to that question is affirmative.

5 M.R.S.A. § 1092, § 1 provides:

"1. Participating local districts. The employees of any county, city, town, water district, public library corporation or any other quasi-municipal corporation of the State. . . may participate in the retirement system, "

20 M.R.S.A. § 351 authorizes the creation of a community school district and provides that it "shall be a body politic and corporate. . . ." 20 M.R.S.A. § 354 expressly declares such district "to be a quasi-municipal corporation within the meaning of Title 30, Section 5053. . . . "

Accordingly, since its function is quasi-municipal, it is a body corporate and politic, and it is declared to be a quasi-municipal corporation within the meaning of 30 M.R.S.A. § 5053, there can be no doubt that it is a quasi-municipal corporation within the meaning of 5 M.R.S.A. § 1092, subsection 1.

CRL/ec

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MAINE STATE RETIREMENT SYSTEM