

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

April 24, 1974

W. G. Blodgett, Executive Director

Maine State Retirement System

Charles R. Larouche, Assistant

Attorney General

Eligibility of Cobbossee Water District for Social Security Coverage

This replies to your memo of April 2, 1974, concerning the subject.

You ask whether or not the employees of Cobbossee Watershed District would be eligible for social security coverage.

The answer to that question is affirmative.

5 M.R.S.A. § 1222, subsection 6, provides:

"The term 'political subdivision' includes an instrumentality of the State of Maine, of one or more of its political subdivisions, the University of Maine, academies, water, sewer and school districts and associations of municipalities, or an instrumentality of the State and one or more of its political subdivisions, but only if such instrumentality is a juristic entity which is legally separate and distinct from the State or subdivision and only if its employees are not by virtue of their relation to such juristic entity employees of the State or subdivision."

It is clear that the subject District is a body corporate and politic and, hence, that it is a juristic entity. It is also apparent from the provisions of Chapter 95, P. & S.L., 1971, which created this entity, that it is legally separate and distinct from the State.

CHARLES R. LAROUCHE
Assistant Attorney General

CRL:mfe

AN INFORMAL OPINION