

MAINE STATE LEGISLATURE

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STATE OF MAINE

Inter-Departmental Memorandum Date October 17, 1975

To W. G. Blodgett, Executive Director

Dept. Maine State Retirement System

From Donald G. Alexander, Assistant

Dept. Attorney General

Subject Vocational Education Regions - Eligibility to Participate in Social Security Programs.

In following up on our opinion of July 8, 1975, you have asked if the reporting officials of the School Administrative Districts of which Vocational Education Regions are a part, would be the proper reporting officials for the Vocational Regional Schools for participating in the Social Security Program. The answer is Yes.

As our opinion of July 8th indicated, the Vocational Education Regions are not considered separate juristic entities pursuant to 5 M.R.S.A. § 1222-6. As we determined in that opinion, Vocational Educational Regions are sub-units of their Administrative Districts. Since they are sub-units, the reporting officials of the relevant S.A.D.'s would be the proper reporting officials for Social Security Program purposes.

You also asked if the answer to the above questions were in the negative, would we draft legislation necessary to deal with the problem. We have answered the question affirmatively. However, it may be appropriate to amend the Vocational Education law to permit direct dealing between the Vocational Education Regions and the Social Security Program. This would be accomplished by amendment of the last sentence of the first paragraph of 20 M.R.S.A. Section 2356-A-5 to read as follows:

"Each Vocational Region is declared to be a political sub-division within the meaning of 5 M.R.S.A. § 1222, Sub-§ 6 and a quasi municipal corporation within the meaning of Title 30, Section 5053 and all the provisions of said Section shall be applicable thereto."

DGA:jg