

MAINE STATE LEGISLATURE

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April 7, 1976

William G. Blodgett, Executive Dir.

Maine State Retirement System

Donald G. Alexander, Deputy

Attorney General

**Eligibility of State Principal's Association as a Participating
Local District under Certain Merger Proposals**

Your memoranda of February 17, 1976, and March 26, 1976, and documents attached thereto raise certain questions as to the status of the State Principal's Association with the Maine State Retirement System should it merge with the State Elementary Principal's Association. Your memorandum of March 26 is in response to questions I proposed by memorandum of February 27, 1976.

The definition of "local district" specified in 5 M.R.S.A. § 1001-11-A includes incorporated associations of employees of local districts or incorporated associations of the local districts themselves. The State Principal's Association as proposed to be merged with the State Elementary Principal's Association would appear to be a hybrid of these two categories - employee organizations or local district organizations. However, such would appear to be clearly contemplated as an eligible unit for membership in the Maine State Retirement System under sub-§ 11-A and thus under the provisions of 5 M.R.S.A. § 1092.

Thus, the merged organizations, under whatever name, could become participating local districts in the Maine State Retirement System with their employees eligible for membership in the M.S.R.S. As the organization is going to be changed in nature, it should file a proper resolution pursuant to 5 M.R.S.A. § 1092. Rather than simply a new application being made, the resolution could indicate that an amendment to the current membership status of the State Principal's Association is being requested which significantly changes the nature and the status of the State Principal's Association and adds new employees who are currently employed by the State Elementary Principal's Association.

DONALD G. ALEXANDER
Deputy Attorney General

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