

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)

(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 809

S. P. 268

In Senate, February 28, 1979

Referred to the Committee on Aging, Retirement and Veterans. Sent down for concurrence and ordered printed.

Presented by Senator Clark of Cumberland.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Establish Special Retirement Provisions for CETA Employees.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, participation by CETA enrollees in training or employment programs in State Government or local participating district agencies will be prohibited after July 1, 1979, in the absence of amendment to the provisions of the Maine State Retirement Law; and

Whereas, in the judgement of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

5 MRSA § 1092-A is enacted to read:

§ 1092-A. CETA employees

1. Definition. As used in this section, unless the context indicates otherwise, the following terms shall have the following meanings.

A. "CETA employee" shall mean an employee paid under or enrolled in a program of the Comprehensive Employment and Training Act of 1973 or 1978.

2. **Employer's contribution.** Notwithstanding the provisions of sections 1062 and 1092, the State or a participating local district shall not be required to contribute to the system for CETA employees. If an employee elects, under subsection 4, to include CETA service as service credit, then that employee's CETA prime sponsor shall pay to the system an amount equal to the employer's contribution, plus interest, for the service credit.

3. **Employees contribution.** Notwithstanding the provision of section 1095, a CETA employee shall not be required to contribute to the system. If the employee later elects, under subsection 4, to include CETA service as service credit, then he shall pay to the system an amount equal to his contributions, plus interest, as provided under section 1094, subsection 10.

4. **Service credit for CETA.** Service credit shall be granted to a member who, on or after July 1, 1979, became a CETA employee and:

A. Within 90 days of termination of CETA employment either:

(1) Became a member of this system; or

(2) Became a member of another system to which this system's service time can be transferred; or

B. Has been a member, including the CETA service time, for a length of time sufficient to be eligible for benefits; and

C. Only if the member has not received a return of his contributions for this time, has paid them as provided under subsection 3 or has redeposited them under section 1094, subsection 10.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1979.

STATEMENT OF FACT

This bill provides for a special retirement provision for CETA employers and employees under the State Retirement System. They will not be required to make contributions unless the employee subsequently becomes eligible for benefits. If he does become eligible, both the prime sponsor and employee are required to make the deferred contributions to the system.