

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1327

H. P. 1072

House of Representatives, March 20, 1979

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

EDWIN H. PERT, Clerk

Presented by Mrs. Prescott of Hampden.

Cosponsor: Mr. Gwadosky of Fairfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide an Additional Retirement Fund for Public School Coaches.

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

Sec. 1. 5 MRSA § 1001, sub-§ 6-B is enacted to read:

6-B. Coach. "Coach" shall mean any teacher in the public schools who receives compensation, in addition to a basic salary, expressly for the purpose of compensating that member for coaching duties which are performed in addition to a regular teaching position.

Sec. 2. 5 MRSA § 1001, sub-§ 9, as amended by PL 1975, c. 622, §§ 1 and 2 is further amended by adding a new paragraph after the first paragraph to read:

Any compensation, in addition to a basic salary, received by a coach solely for the purpose of compensating that member for coaching duties which are performed in addition to a regular teaching position shall not be considered earnable compensation for purposes of this chapter.

Sec. 3. 5 MRSA § 1094, sub-§ 18 is enacted to read:

18. Coaches supplemental creditable service. Any member who has served as a coach for 10 or more years while a member of the retirement system may

purchase supplemental creditable service for each year so claimed, provided that the member purchases at least 10 years of that service. The service shall be allowed as supplemental creditable service for any member in the determination of his supplemental service retirement allowance under section 1121, subsection 2, paragraph A, subparagraph (6) provided the member, prior to the date any retirement allowance becomes effective for him, deposits in the Members' Contribution Fund for each year of service claimed that percentage of contribution he paid on his earnable compensation during the period of time covered by that service applied to the compensation he received solely for coaching duties each year which was not included in his earnable compensation as defined in section 1001, together with interest at 2% greater than regular interest thereon from the date he would have made the contribution had it been included in earnable compensation to the date of payment.

Sec. 4. 5 MRSA § 1121, sub-§ 2, ¶ A is amended to read:

A. The total amount of service retirement allowance of a member retired in accordance with subsection 1 shall be equal to the sum of subparagraphs (1) and (2) and, for coaches, supplemental service retirement allowance as provided in subparagraph (6), subject to paragraphs B and C and subsection 4:

Sec. 5. 5 MRSA § 1121, sub-§ 2, ¶ A, sub-¶ (6) is enacted to read:

(6) Any member who purchases supplemental creditable service in accordance with section 1094, subsection 18 shall become entitled to a supplemental retirement allowance equal to 1/50 of his average coaching salary as determined in this subparagraph multiplied by the number of years of supplemental creditable service. The average coaching salary shall mean the average annual rate of the compensation which that member received solely for coaching duties which was not included in the members earnable compensation as defined in section 1001 during the 3 years, not necessarily consecutive, in which that compensation attributed solely to coaching was highest.

STATEMENT OF FACT

This bill excludes the salary a teacher receives as a coach from the earnable compensation of a member of the retirement system. That member will not normally contribute any portion of that salary to the retirement system and that portion of his salary will not be included in the annual retirement allowance determination.

This bill also provides that any member who has coached for 10 or more years may, at his option, receive a supplemental retirement allowance based on his coaching salary, provided that the member makes the normal employee contribution on his coaching salary. He must purchase at least 10 years credit to be eligible for the supplemental service retirement allowance.