

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to S.P. 809, L.D. 2008, Bill, "An Act to Restore Maine State Retirement Service Credit to Certain Part-time, Seasonal, Intermittent or Legislative Employees"

Amend the bill by striking out the title and substituting the following:

'An Act Related to the Maine State Retirement System'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 5 MRSA §17751, sub-§3, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

3. Board determination. The board shall determine by appropriate rules how much service in any year qualifies for one year's service credit. Service rendered for the full normal working time in any year qualifies for one year's service credit. The board shall provide in its rule related to the determination of creditable service for state employees that any part-time or seasonal state employee who was employed during the period beginning January 1, 1989 and ending June 30, 1991 is credited with a full year of creditable service for each year in which that employee is employed for 1,000 or more hours, for as long as that employee is employed by the State. The board's rule must also treat in the same manner any employee first employed before July 1, 1991 who is employed in a position that is in a career ladder in which the employee is required to move from full-time status to seasonal status when accepting a promotion in the employee's career ladder. Section 17001, subsection 13, paragraph E does not apply to an employee who is credited with a full year of creditable service under this provision. Each state department or agency shall submit to the retirement system a list of all employees to whom this provision applies, in the manner and time provided by board rule.

2 Sec. 2. P&SL 1991, c. 26, §1 is repealed and the following
enacted in its place:

4 Sec. 1. Retirement coverage for certain teacher aides and similar
6 employees. Notwithstanding the provisions of any other law or
8 rule, any person employed in a position known before September 1,
10 1991 as teacher aide, library aide or educational technician I
12 who, before September 1, 1991, was promoted to a level II or
14 level III educational technician position may elect to be covered
by the retirement system or plan under which that person was
covered at the time of promotion. That election may be made only
in accordance with the following.

16 1. A person may make the election only once.

18 2. The election is effective as of the date of promotion.

20 3. The election is irrevocable.

22 4. Each local school administrative unit shall notify each
24 person to whom this section applies who was employed by that unit
at the time of promotion of the opportunity to make the election,
26 inform each person of the nature of the election, receive each
person's written election and provide to the Maine State
Retirement System a list of all persons making an election,
categorized by retirement system or plan elected.

28 5. The Maine State Retirement System must receive the
30 election list by September 30, 1992.

32 6. A person not making an election is subject to the
34 provisions of the Maine Revised Statutes, Title 5, Part 20 as of
the date of promotion.

36 The Maine State Retirement System shall notify school
38 administrative units of this section and receive and
appropriately process election lists. The Maine State Retirement
40 System is not responsible for identifying or notifying persons to
whom this section applies or for receiving individual elections.
42 Local school administrative units shall prescribe the form in
which the written individual election must be made and the date
by which it must be received by the unit.

44 Any person hired as or promoted to a level II or level III
46 educational technician position on or after September 1, 1991 is
subject to the provisions of Title 5, Part 20.
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FISCAL NOTE

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Section 1 of the bill, increasing the creditable service earned by certain part-time, seasonal or Legislative employees who were members of the Maine State Retirement System prior to July 1, 1991, will reduce the actuarial gains to be realized by the system. The increase of future employer contributions for state employees could be as much as \$53,000 annually.

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The system will also incur additional administrative costs. The \$35,000 of additional initial costs and other ongoing costs will not appreciably affect contribution rates.

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STATEMENT OF FACT

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This amendment replaces the original bill.

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Section 1 requires the retirement system to permit part-time and seasonal state employees who were employed between January 1, 1989 and June 30, 1991 to accumulate one year of creditable service for each year in which the employee is employed for 1,000 or more hours. The same provisions apply to an employee whose position is in a career ladder that requires the employee to move from full-time to seasonal status when accepting a promotion.

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Section 2 permits certain employees promoted to level II or level III educational technician positions to elect to continue coverage under the retirement system or plan under which those employees were covered before promotion.

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Filed by Rep. Wentworth of Arundel
Reproduced and distributed under the direction of the Clerk of the House
3/26/92

(Filing No. 1292)