

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 556

S.P. 214

In Senate, February 14, 1995

**An Act Concerning the Participation of Teachers of Adult Education in
the Maine State Retirement System.**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec.
Cosponsored by Senators: AMERO of Cumberland, CARPENTER of York, PARADIS of
Aroostook, Representatives: BOUFFARD of Lewiston, GREEN of Monmouth, WATSON of
Farmingdale.

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

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Sec. 1. 5 MRSA §17001, sub-§42, ¶B, as repealed and replaced
4 by PL 1989, c. 878, Pt. D, §4, is amended to read:

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B. Any employee of a public school who fills any position not included in paragraph A, the principal function of which is to introduce new learning to students, except that this paragraph applies only to persons employed in those positions prior to July 1, 1993 and who do not terminate that employment until a date after July 1, 1993. An employee who returns to a position in the same category within 2 years is considered not to have terminated that employment;

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Sec. 2. 5 MRSA §17154, sub-§6, ¶E, as enacted by PL 1993, c. 387, Pt. A, §7 and c. 482, §3, is repealed and the following enacted in its place:

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E. Notwithstanding this section, the employer retirement costs related to the retirement system applicable to those teachers whose funding is provided directly or through reimbursement from private or public grants must be paid by local school systems from those funds. "Public grants" does not include state or local funds provided to school administrative units under Title 20-A, chapters 315 and 606.

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Sec. 3. 5 MRSA §17154, sub-§6, ¶F is enacted to read:

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STATEMENT OF FACT

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Current law states that education funds appropriated pursuant to the School Finance Act of 1985 are not considered "public grants" for purposes of determining whether the State shall pay the employer's portion of a teacher's retirement

2 costs. This bill adds a reference to the Maine Revised Statutes,
4 Title 20-A, chapter 315, which governs the financing of adult
6 education, in order that adult education teachers be treated the
8 same as other public school teachers for purposes of the
10 employer's share of retirement costs.

12 Current law requires that all part-time adult education
14 teachers participate in the Maine State Retirement System. This
16 discourages many individuals from teaching on a part-time basis
in adult education. The bill eliminates the requirement that
part-time adult education teachers who teach courses that do not
require certification participate in the Maine State Retirement
System.

The bill also resolves a conflict in Title 5, section 17154,
subsection 6 caused by 2 laws enacting the same paragraph.