

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1230

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H.P. 875

House of Representatives, April 6, 1995

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**An Act Concerning Educational Technicians.**

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Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MORRISON of Bangor.  
Cosponsored by Representatives: CLOUTIER of South Portland, JOSEPH of Waterville,  
LEMAIRE of Lewiston, Senator: ESTY of Cumberland.

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

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4       **Sec. 1. P&SL 1991, c. 26, §1**, as repealed and replace by PL 1991, c. 878, §2, is amended to read:

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

- 16           1. A person may make the election only once.  
18           2. The election is effective as the date of promotion.  
20           3. The election is irrevocable.

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

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

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

36           The Maine State Retirement system shall notify school administrative units of this section and receive and  
38 appropriately process election lists. The Maine State Retirement System is not responsible for identifying or notifying persons to  
40 whom this section applies or for receiving individual elections. Local school administrative units shall prescribe the form in  
42 which the written individual election must be made and the date by which it must be received by the unit.  
44

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

50           Any educational technician I or II who should have been grandfathered into a higher classification prior to September 1, 1991 has the right to be reconsidered for higher classification  
52

2 through an appeals process established by rules adopted by the  
3 State Board of Education.

4 Any person promoted to educational technician II or III  
5 prior to September 1, 1991 under this section must have  
6 portability of that persons's highest attained classification to  
7 any other school administrative unit.

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9  
10 **STATEMENT OF FACT**

11 This bill amends the Private and Special Law that dealt with  
12 the classification for educational technicians prior to 1991 for  
13 retirement coverage purposes. This bill allows for corrections  
14 to be made in the classification of educational technicians.