

## **TESTIMONY**

In Support Of

### **LD 275: An Act To Amend the Retirement Laws Pertaining to Certain Educational Technicians**

John Kosinski, Government Relations Director, Maine Education Association

Before the Joint Standing Committee on Labor and Housing

**February 24<sup>th</sup>, 2021**

Senator Rafferty, Representative Sylvester and other members of the Labor and Housing Committee,

My name is John Kosinski, and I am here on behalf of the Maine Education Association (MEA) to testify in support of LD 275, An Act To Amend the Retirement Laws Pertaining to Certain Educational Technicians. The MEA represents approximately 24,000 educators in the state of Maine, including ed techs throughout our public school system.

This bill represents a technical fix to current state law to align current law and practice for Ed Techs given a change in rule and law that took effect on July 1, 2018. The bill was proposed last year as LD 1949, which was passed unanimously by this Committee but failed final action when the Legislature adjourned due to COVID.

In 2018, the Department of Education proposed a substantial revision of the rules governing certification for teachers and ed techs and the result was the streamlining of terms including a system to “certify” ed techs. Previously, ed techs were “authorized.” These rules were passed by the Legislature and took effect on July 1, 2018.

Currently, Ed Tech IIs and Ed Tech IIIs qualify for participation in the Maine Public Employee Retirement System (MePERS) teacher plan. However, Ed Techs Is have never qualified for the teacher plan and instead they participate in Social Security and we feel they should remain in Social Security. Many Ed Tech Is have other employment opportunities, during breaks and perhaps in other fields and most typically these other employment opportunities for Ed Tech Is are Social Security-based positions. In addition, the high turnover among Ed Tech Is makes Social Security a better option for these employees.

The change in terms in the rules regarding ed tech certification specifically may allow Ed Tech Is to qualify for participation in MePERS. This was never intended and is a clear oversight of the changes made in 2017 and 2018.

This bill simply makes the change necessary for Ed Tech Is to remain in Social Security. Specifically, the bill before you links to a section of statute that still requires Ed Tech IIs and IIIs to be certified and does not cover Ed Tech Is. We believe this change will allow Ed Tech Is to continue to participate in Social Security as intended.

I expect a representative of the Maine Public Employees Retirement System will also be on hand today and can help answer questions about the proposal before you today.

We hope the Committee will vote ought to pass on LD 275 and I will do my best to answer any questions you may have.