

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 638

Short Title: Local Gov't Retirement Definition.

(Public)

Sponsors: Senators Rand; Cooper and Kerr.

Referred to: Pensions & Retirement and Aging.

March 30, 1999

A BILL TO BE ENTITLED

AN ACT TO REDEFINE "EMPLOYEE" AND "EMPLOYER" IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 128-21(10) reads as rewritten:

"(10) "Employee" shall mean any person who is regularly employed in the service of and whose salary or compensation is paid by the employer as defined in subdivision (11) of this section, whether employed or appointed for stated terms or otherwise, except teachers in the public schools and except such employees who hold office by popular election as are not required to devote a major portion of their time to the duties of their office. "Employee" also means all full-time, paid firemen who are employed by any fire department that serves a city or county or any part of a city or county and that is supported in whole or in part by municipal or county funds. In all cases of doubt the Board of Trustees shall decide who is an employee."

Section 2. G.S. 128-21(11) reads as rewritten:

"(11) "Employer" shall mean any county, incorporated city or town, the board of alcoholic control of any county or incorporated city or town, the North Carolina League of Municipalities, and the State

1 Association of County Commissioners. ~~"Employer" shall also mean any~~
2 ~~separate, juristic political subdivision of the State as may be approved by~~
3 ~~the Board of Trustees upon the advice of the Attorney General.~~
4 "Employer" also means any fire department that serves a city or
5 county or any part of a city or county and that is supported in whole
6 or in part by municipal or county funds."

7 Section 3. This act is effective when it becomes law.