

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

1

SENATE BILL 1079*

Short Title: DOT Retired Engineers. (Public)

Sponsors: Senators Jenkins; and Carpenter.

Referred to: State Government, Local Government, and Veterans' Affairs.

May 13, 2004

A BILL TO BE ENTITLED
AN ACT TO REMOVE THE CAP ON EARNINGS BY RETIRED DEPARTMENT
OF TRANSPORTATION ENGINEERS AND ENGINEERING TECHNICIANS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 135-3(8) is amended by adding a new sub-subdivision to read:

"c1. The computation of postretirement earnings of a beneficiary under sub-subdivision c. of this subdivision who has been retired at least six months and has not been employed in any capacity with the Department of Transportation for at least six months immediately preceding the effective date of reemployment shall not include earnings while the beneficiary is employed with the Department of Transportation as an engineer or engineering technician. The Department of Transportation shall certify to the Retirement System that a beneficiary is employed by the Department of Transportation as a retired engineer or retired engineering technician.

A 'retired engineer' or 'retired engineering technician' means a beneficiary of the Teachers' and State Employees' Retirement System of the State of North Carolina who has been retired at least six months, has not been employed in any capacity with the Department of Transportation for at least six months immediately preceding the effective date of reemployment, is determined by the Department of Transportation to have had satisfactory performance during the last year of employment, and who is employed as an engineer or engineering technician. A retired engineer or engineering technician shall be treated the same as a probationary employee except that a retired engineer or engineering technician is not eligible for career status.

1 Beneficiaries employed under this sub-subdivision are not
2 entitled to any benefits otherwise provided under this Chapter
3 as a result of this period of employment."

4 **SECTION 2.** This act becomes effective July 1, 2004.