

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 37\*

Short Title: DOT Retired Engineers. (Public)

Sponsors: Senators Gulley; and Carpenter.

Referred to: Transportation.

February 13, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO REMOVE THE CAP ON EARNINGS BY RETIRED DEPARTMENT  
3 OF TRANSPORTATION ENGINEERS AND ENGINEERING TECHNICIANS,  
4 AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION  
5 OVERSIGHT COMMITTEE.

6 The General Assembly of North Carolina enacts:

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

9 "c1. The computation of postretirement earnings of a beneficiary  
10 under sub-subdivision c. of this subdivision who has been  
11 retired at least three months and has not been employed in any  
12 capacity with the Department of Transportation for at least three  
13 months immediately preceding the effective date of  
14 reemployment, shall not include earnings while the beneficiary  
15 is employed with the Department of Transportation as an  
16 engineer or engineering technician. The Department of  
17 Transportation shall certify to the Retirement System that a  
18 beneficiary is employed by the Department of Transportation as  
19 a retired engineer or retired engineering technician.

20 A 'retired engineer' or 'retired engineering technician' means  
21 a beneficiary of the Teachers' and State Employees' Retirement  
22 System of the State of North Carolina who has been retired at  
23 least three months, has not been employed in any capacity by  
24 the Department of Transportation for at least three months  
25 immediately preceding the effective date of reemployment, is  
26 determined by the Department of Transportation to have had  
27 satisfactory performance during the last year of employment,  
28 and who is employed as an engineer or engineering technician.  
29 A retired engineer or engineering technician shall be treated the

1                                    same as a probationary employee except that a retired engineer  
2                                    or engineering technician is not eligible for career status.

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

5                    **SECTION 2.** This act is effective when it becomes law.