

MAINE STATE LEGISLATURE

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NINETY-SEVENTH LEGISLATURE

Legislative Document

No. 1076

S. P. 380

In Senate, March 1, 1955.

Referred to Committee on Retirements and Pensions. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Butler of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Disability Retirement Benefits Under the Maine State Retirement System.

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

Sec. 1. R. S., c. 64, § 8, sub-§ I, amended. Subsection I of section 8 of chapter 64 of the revised statutes is hereby amended to read as follows:

'I. Upon the application of a member or of his department head, any member who has had 10 or more years of creditable service, or any member in service ~~who is a member of a fire department~~ regardless of years of creditable service upon the determination by the Board that he has incurred disability as the result of injuries received in the line of duty, may be retired by the Board of Trustees on a disability retirement allowance upon filing such application; provided that the medical board, after a medical examination of such member, shall certify that the member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent and that he should be retired. The Board of Trustees shall determine upon receipt of proper proof that the injury received in line of duty occurred while in actual performance of duty at some definite time and place and was not caused by the willful negligence of the member.'

Sec. 2. R. S., c. 64, § 8, sub-§ II, ¶ C, amended. Paragraph C of subsection II of section 8 of chapter 64 of the revised statutes is hereby amended to read as follows:

'C. ~~One half~~ 66 2/3% of the average final compensation of such member ~~in the case of a member of a fire department~~ who has incurred disability as the result of injuries received in the line of duty.'