

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

March 27, 1952

To Earle R. Hayes, Secretary, Maine State Retirement System
Re: Additional Contributions

We have your memo of March 20, 1952, in regard to Section 14, subsection I, paragraph C. of the Retirement Law, which provides that a member of the Retirement System may make additional contributions over and above the normal rate of contribution, by virtue of which he will be provided with a retirement allowance, so far as his annuity is concerned, of more than he would otherwise be granted, provided it does not develop a total retirement allowance in excess of one-half of his average final compensation at age 65.

You ask the following question: "In the event that he should be granted a refund of such additional contributions, is it your opinion that the law requires that he should be paid not less than $\frac{3}{4}$ of the total accumulated interest on such additional contributions, this being the basic provision of the law with reference to regular contributions?"

Stated in a different way, your question might be: "Are these additional contributions or deposits to be considered and handled in the same manner as the normal rate of contribution?"

This question seems to be answered by the last sentence of paragraph C., which states:

"Such additional amounts so deposited shall become a part of his accumulated contributions except in the case of disability retirement, when they shall be treated as excess contributions returnable to the member as an annuity of equivalent actuarial value."

It follows that if such redeposited or additional contribution becomes a part of his accumulated contributions, then under Section 9, when a member ceases to be an employee except by death or by retirement, then he should be paid in addition to the amount of his contribution an amount not less than $\frac{3}{4}$ of accumulated regular interest on that fund.

JAMES G. FROST
Assistant Attorney General

March 27, 1952

To Roland H. Cobb, Commissioner, Inland Fisheries and Game
Re: Licenses-Families of Servicemen Stationed in Maine

We have your memo of March 24, with attached letter from the Commanding Officer of the U. S. Naval Air Station, Brunswick, Maine.

The question apparently raised by him is whether or not dependents of servicemen are eligible to receive hunting licenses at the resident license fee.

Section 32, paragraph XI, provides that a license to hunt or fish shall be issued at the resident license fee to any member of the Armed Forces of the United States of America who is a citizen of the United States and stationed at some military or naval post, station or base within the State. It is quite clear that this privilege is granted only to a member of the Armed Forces and has not been extended to include members of his family.