

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

For The Calendar Years

1963 - 1964

Whereas paragraph B has no requirements as to length of creditable service in Maine yet payment into the retirement fund for out-of-state service is less favorable.

Under paragraph A the favored teachers upon completion of certain creditable service in Maine may obtain certain out-of-state credit by contributing "on the same basis as he would have made contributions had such service been in Maine" i. e., only the member's contribution.

Under paragraph B the employee may have out-of-state credit if he pays into the fund "the actuarial equivalent, at the effective date of his retirement allowance, of the portion of his retirement allowance based on such additional creditable service," i. e., both the employer's and the member's share of his out-of-state service to be allowed. (If the actuarial equivalent is more than the so-called state's share plus member's share, he must pay that figure. The same is true if the actuarial equivalent should be less than the total of the two shares. In either event, he pays the "actuarial equivalent.")

GEORGE C. WEST

Deputy Attorney General

March 7, 1963

To: Wallace E. Brown, Deputy Secretary of State

Re: Interpretation of R. S., Chapter 22, section 77, V, F

You ask whether a person transporting cargo, who has liability coverage but does not have cargo insurance, and who negligently damages the cargo, is exempted from the provisions of the Financial Responsibility Law.

The answer is yes. All that the law requires of a vehicle owner is that he have in effect at the time of the accident a liability policy. In your case the owner had property damage coverage which would apply to the property damaged.

LEON V. WALKER, JR.

Assistant Attorney General

March 8, 1963

To: Earle B. Hayes, Executive Secretary, Maine State Retirement System

Re: Chapter 63-A, R. S. as amended, Section 6, subsection IV

We are in receipt of your request for an opinion based on the following facts, as they have been submitted to us by your Department.

"A member of the State Police who has had, up to now, a total of approximately 18 years of service in that Department and who also had some 8 years of service as a guard at the Maine State Prison prior to his affiliation with the Maine State Police Department is now asking as to whether or not he can qualify for the half pay retirement benefit provided for in Chapter 63-A, § 6 IV, R. S. 1954, as amended."