

MAINE STATE LEGISLATURE

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June 27, 1974

William G. Blodgett, Executive Director

Maine State Retirement System

Charles R. Larouche, Assistant

Attorney General

Creditable Service in Maine State Retirement System for War Shipping Administration

This replies to your memorandum of June 18, 1974, concerning subject.

You state that the Maine State Retirement System has construed the phrase "federal employment service" contained in 5 M.R.S.A. §1091, subsection 3 and § 1094, subsection 11, to mean the Maine Employment Security Commission during the period when it was federalized, i.e., World War II.

It appears that some one contends that you have been giving too narrow a construction to that phrase, and that this phrase should be construed to include any employment whatever, in the federal service, and particularly including the War Shipping Administration.

You ask whether or not I agree with your interpretation of the scope of the phrase "federal employment service" contained in 5 M.R.S.A. § 1091, subsection 3 and § 1094, subsection 11. The answer to that question is affirmative.

It is apparent that this phrase was not intended to comprehend the entire federal service, but instead, a very particular portion of that service, to wit, the state employment service during its period of federalization in World War II when it was known as the federal employment service. This is clearly indicated by the following language in 5 M.R.S.A. § 1091, subsection 3. "When the said employment service was returned to the State of Maine as an operating unit - - -."

If I can be of any further aid to you in this matter, please advise me.

CHARLES R. LAROCHE
Assistant Attorney General

CRL/bls

AN INFORMAL OPINION