

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1436**

S. P. 566

In Senate, March 8, 1967

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Boisvert of Androscoggin.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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### **AN ACT Relating to Pensions for Members of the Lewiston Police Department, Lewiston Fire Department and Their Beneficiaries.**

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

**Sec. 1. P. & S. L., 1939, c. 8, Art. XI, § 21-B, additional.** Article XI of chapter 8 of the private and special laws of 1939, as amended, is further amended by adding a new section 21-B, to read as follows:

**Sec. 21-B. Pensions, ordinary or nonservice-connected disability.** Any permanent member of the police department who has completed 19 or more but less than 25 years of total service in said department, and who has become permanently disabled, mentally or physically, for further performance of duty in the police department because of injury or illness which was not incurred while in the actual performance or discharge of his duties as a member of said department, or which was not connected with his service as a member of said department, shall be retired and shall be entitled to a pension equal to 1/50th of the annual pay he was receiving at the time of his said permanent disability, multiplied by the total number of years of service completed. For the purpose of computing the amount of pension to be paid, half and whole years as herein-after defined shall be counted. Six months but less than 9 months shall be deemed a 1/2 year, and 9 months or more through 12 months shall be deemed a full year. For the purpose of computing years of service under this section, service rendered prior to the enactment of this section shall also be counted.

The death of a member retired under this section shall entitle his beneficiaries, as defined in section 21 of this article, to the continued payment of the full pension in the amount the member was receiving under this section at the time of his death.

**Sec. 2. P. & S. L., 1939, c. 8, Art. XI, § 22-A, additional.** Article XI of chapter 8 of the private and special laws of 1939, as amended, is further amended by adding a new section 22-A, to read as follows :

**Sec. 22-A. Application for ordinary or nonservice-connected disability.** When application is made for a pension as provided in section 21-B of this article, the applicant shall satisfy the police commission that he is permanently disabled, mentally or physically, for further performance of duty in the police department and that he is otherwise qualified for such pension under the provisions of section 21-B of this article.

**Sec. 3. P. & S. L., 1939, c. 8, Art. XII, § 11-A, additional.** Article XII of chapter 8 of the private and special laws of 1939 is amended by adding a new section 11-A, to read as follows :

**Sec. 11-A. Pensions, ordinary or nonservice-connected disability.** Any permanent member of the fire department who has completed 19 or more but less than 25 years of total service in said department, and who has become permanently disabled, mentally or physically, for further performance of duty in the fire department because of injury or illness which was not incurred while in the actual performance or discharge of his duties as a member of said department, or which was not connected with his service as a member of said department, shall be retired and shall be entitled to a pension equal to 1/50th of the annual pay he was receiving at the time of his said permanent disability, multiplied by the total number of years of service completed. For the purpose of computing the amount of pension to be paid, half and whole years as hereinafter defined shall be counted. Six months but less than 9 months shall be deemed a half year, and 9 months or more through 12 months shall be deemed a full year. For the purpose of computing years of service under this section, service rendered prior to the enactment of this section shall also be counted.

The death of a member retired under this section shall entitle his beneficiaries, as defined in section 10 of this article, to the continued payment of the full pension in the amount the member was receiving under this section at the time of his death.

**Sec. 4. P. & S. L., 1939, c. 8, Art. XII, § 14-A, additional.** Article XII of chapter 8 of the private and special laws of 1939 is amended by adding a new section 14-A, to read as follows :

**Sec. 14-A. Pensions, applications for ordinary or nonservice-connected disability.** When application is made for a pension as provided in section 11-A of this article, the applicant shall satisfy the fire commission that he is permanently disabled, mentally or physically, for further performance of duty in the fire department and that he is otherwise qualified for such pension under the provisions of section 11-A of this article.