

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1764

S. P. 593

In Senate, January 6, 1970

Presented by Senator Boisvert of Androscoggin.

HARRY N. STARBRANCH, Secretary

The Committee on State Government suggested.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

AN ACT Relating to State Retirement Laws.

Emergency preamble. Whereas, Acts and resolves passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the people of the State of Maine owe a considerable debt to the former first ladies of the State who have performed considerable exemplary public service without compensation and should be entitled to a retirement allowance adequate for today's cost of living; and

Whereas, certain non-State employees are members of the Maine State Retirement System, but others have been inequitably denied that privilege, and

Whereas, some 60 elderly persons with 10 years service in the public schools or in State employment do not now qualify for state retirement allowances, and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. R. S., T. 5, § 1092, sub-§ 1, amended. Subsection 1 of section 1092 of Title 5 of the Revised Statutes, as last amended by chapter 271 of the public laws of 1969, is further amended to read as follows:

1. **Participating local districts.** The employees of any county, city, town, water district, public library corporation or any other quasi-municipal corporation of the State, a regional planning commission as provided in Title 30, a public housing authority as provided in Title 30, the civilian employees of the Maine National Guard, employees of the Maine State Employees Association, **employees of Council Number 74, of the American Federation of State, County and Municipal Employees, American Federation of Labor—Congress of Industrial Organization**, Maine State Employees Credit Union, the State Principals Association, or of Maine Municipal Association, may participate in the retirement system, to the full extent of any and all benefits provided for in this chapter provided the county commissioners or the city council or corresponding body of a city, or the voters of a town at a duly constituted town meeting, or the trustees of a water district, public library corporation or other quasi-municipal corporation, the representatives of a regional planning commission, the commissioners of a public housing authority, the Adjutant General, or Maine State Employees Association through its board of directors, **or Council Number 74 of the American Federation of State, County and Municipal Employees, American Federation of Labor—Congress of Industrial Organization through its board of directors**, or Maine State Employees Credit Union through its board of directors, or the State Principals Association through its executive committee, or the active member municipalities of Maine Municipal Association through its executive committee, approve such participation and file with the board of trustees a duly certified copy of the resolution of the county commissioners or the city council or such corresponding body approving such participation and the extent of the benefits which shall apply, or a record of the vote of the town voters certified by the clerk of the town meeting. Such county, city, town, water district, public library corporation or other quasi-municipal corporation regional planning commission, public housing authority, Maine State Employees Association, **Council Number 74 of the American Federation of State, County and Municipal Employees, American Federation of Labor—Congress of Industrial Organization**, Maine State Employees Credit Union, State Principals Association, Maine National Guard or Maine Municipal Association, approving the participation of its employees in the retirement system shall thereafter be known for the purposes of this chapter as “a participating local district.” Such county, city, town, water district, public library corporation or other quasi-municipal corporation, regional planning commission, public housing authority, Maine National Guard, Maine State Employees Association, **or Council Number 74 of the American Federation of State, County and Municipal Employees, American Federation of Labor—Congress of Industrial Organization**, or Maine State Employees Credit Union, or State Principals Association, or Maine Municipal Association, shall designate in their approval any class of employees, otherwise provided for by local pension provisions, who may be exempted from this chapter. The date when the participation of the employees of a participating local district may begin shall be set by the board of trustees not more than 6 months following the date the local district approved the participation of its employees. This date shall be considered as the date of establishment for participating local districts as defined in section 1002.

Sec. 2. R. S., T. 5, § 1121, sub-§ 2, ¶ A, sub-¶ (4), amended. Subparagraph (4) of paragraph A of subsection 2 of section 1121 of Title 5 of the Revised

Statutes, as enacted by section 6 of chapter 415 of the public laws of 1969, is amended by adding at the end, a new sentence, as follows:

Any person who can substantiate at least 10 years of teaching in the public schools or of state employment or a combination of said services regardless of when such service was rendered shall be entitled to a minimum retirement allowance of \$80 per month.

Sec. 3. R. S., T. 5, § 1121, sub-§ 10, repealed and replaced. Subsection 10 of section 1121 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 467 of the public laws of 1967, is repealed and the following enacted in place thereof:

10. Widows of Governors. The unmarried widow of a Governor shall become entitled to a retirement allowance at the rate of $\frac{3}{8}$ of the annual salary of the Governor in office and such allowance shall be adjusted on a proportionate basis at such times as the salary of the Governor may be changed.

Any recipient of a retirement allowance under this subsection shall become entitled to an amount equal to $\frac{3}{8}$ of the annual salary of the Governor in office and shall also be entitled to adjustment on a proportionate basis at such times as the salary of the Governor may be changed.

Said retirement allowance shall become effective on the date that the board of trustees receives written application from such widow. Such adjustments as are granted under section 1128 shall be applied to these payments.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.