

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 569

H. P. 434

House of Representatives, February 3, 1971

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Murray of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Participating Local Districts in the Maine State Retirement System.

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

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

Whereas, the following legislation is vitally necessary to correct such inequities; 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:

R. S., T. 5, § 1092, sub-§ 1, amended. Subsection 1 of section 1092 of Title 5 of the Revised Statutes, as amended, 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 of 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.

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

STATEMENT OF FACT

It is the intent of this bill to provide the same benefits of retirement to the employees of Council 74, as is now enjoyed by the employees of the Maine

National Guard; Maine State Employees Association; Maine State Employees Credit Union; Maine Municipal Association, etc. The statutes presently, inequitably deny employees of Council 74 (X — State Employees) that privilege and is therefore discriminatory.