

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 2135

S. P. 723

In Senate, January 2, 1974

Referred to the Committee on Veterans and Retirement. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Richardson of Cumberland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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AN ACT Relating to Effective Date of Retirement Benefits  
for Retirees under the State Retirement System.

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

Whereas, the Legislature by chapter 542 of the public laws of 1973 enacted liberalized service retirement benefits under the State Retirement System; and

Whereas, said chapter 542 as to retirees became effective October 3, 1973 and the benefits became effective "as of the first day of the month following";

Whereas, such legislation deprived the retirees of approximately one month's increase in benefits; and

Whereas, the following legislation is vitally necessary to correct this inequity; 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, § 1121, sub-§ 2, ¶ A, sub-¶ (3), amended. The 2nd sentence of subparagraph (3) of paragraph A of subsection 2 of section 1121 of the Revised Statutes, as enacted by section 6 of chapter 415 of the public laws of 1969 and as amended by section 6 of chapter 542 of the public laws of 1973, is repealed and the following enacted in place thereof:

**Said recomputation and payments therefor shall become effective October 1, 1973.**

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

#### STATEMENT OF FACT

This law as originally enacted by the 106th Legislature affected the retirees by depriving them of approximately one month's increase in benefits. This was undoubtedly unintentional and could be considered a matter that should be adjusted by legislation involving errors and inconsistencies. It is believed the original purpose of the law as written was to avoid administrative work in dealing in a fractional part of a month. To be fair to the retired state employees and teachers, the amended statute as submitted would make the effective date October 1, 1973, which would be 3 months after the close of the fiscal year. It is pointed out that the increased contribution of 1½% by active state employees and teachers was assessed to them effective July 1, 1973.