

MAINE STATE LEGISLATURE

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1 (After Deadline)
2 (EMERGENCY)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TENTH LEGISLATURE
6

7 **Legislative Document** **No. 1960**
8

9 S. P. 837 In Senate, February 11, 1982
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 27.
Referred to the Committee on Aging, Retirement and Veterans
and ordered printed. Sent down for concurrence.
10 MAY M. ROSS, Secretary of the Senate
Presented by Senator Clark of Cumberland.
Cosponsor: Representative J. Mitchell of Freeport.

11
12 **STATE OF MAINE**
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 **AN ACT to Permit the Town of Freeport to**
18 **Withdraw from the Maine State**
19 **Retirement System.**
20

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

24 Whereas, the employees of the Town of Freeport are cur-
25 rently participating in the Maine State Retirement System in
26 addition to participating in the Social Security System; and

27 Whereas, the benefit plans of these 2 systems are, to a
28 certain extent, duplicative; and

29 Whereas, it is needlessly expensive for the employees
30 and the employers to continue to fund both retirement plans;
31 and

1 Whereas, this burdensome expense and duplicative bene-
2 fit coverage should be reduced as soon as possible; and

3 Whereas, in the judgment of the Legislature, these
4 facts create an emergency within the meaning of the Consti-
5 tution of Maine and require the following legislation as
6 immediately necessary for the preservation of the public
7 peace, health and safety; now, therefore,

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

9 **Sec. 1. Withdrawal from Maine State Retirement System**
10 **authorized; procedure.** The Town of Freeport, hereinafter
11 called "the district" presently a participating local dis-
12 trict in the Maine State Retirement System hereinafter
13 called the "the system," is authorized to withdraw from fur-
14 ther participation in the system upon the terms and condi-
15 tions hereinafter set forth.

16 The withdrawal shall be accomplished by a majority vote
17 of the board of selectmen at any duly warned, called and
18 held meeting thereof. Upon the vote the chief fiscal offi-
19 cer of the district shall certify the same to the trustees
20 of the system and the withdrawal shall become effective on
21 the last day of the calendar month in which the certificate
22 is received by the trustees.

23 **Sec. 2. Certain withdrawals of contributions author-**
24 **ized.** Any employee of the town who has made contributions
25 to the system may withdraw the contributions in the manner
26 provided by the Revised Statutes, Title 5, section 1096, as
27 amended; provided that an application for the withdrawal
28 shall be made not later than one year after the effective
29 date of withdrawal by the town from the system.

30 **Sec. 3. Effect of withdrawal.**

31 1. Any employee of the town who withdraws his contri-
32 bution or any person who begins employment after the effec-
33 tive date of withdrawal of the town from the system may not
34 be a participant in the Maine State Retirement System as an
35 employee of the Town of Freeport.

36 2. The Town of Freeport shall continue to be a local
37 participating district for those former employees who are
38 receiving retirement allowances or who are eligible for
39 retirement benefits and all employees as of the effective

