

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. 1994

8
9 H. P. 2026 House of Representatives, February 17, 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.
Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Small of Bath.

Cosponsors: Representative Stover of West Bath, Senator Sewall
of Lincoln and Representative Chonko of Topsham.

11
12 **STATE OF MAINE**
13

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

17 **AN ACT to Authorize Sagadahoc County**
18 **to Withdraw from the**
19 **Maine State 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 Sagadahoc County 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

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

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

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

7 **Sec. 1. Withdrawal from Maine State Retirement System**
8 **authorized; procedure.** The county commissioners of
9 Sagadahoc County hereinafter called "the district" presently
10 a participating local district in the Maine State Retirement
11 System, hereinafter called "the system" are authorized to
12 withdraw from further participation in the system upon the
13 terms and conditions hereinafter set forth.

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

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

28 **Sec. 3. Effect of withdrawal.**

29 1. Any employee of the agency who withdraws his con-
30 tribution or any person who begins employment after the
31 effective date of withdrawal of the agency from the system
32 may not be a participant in the Maine State Retirement Sys-
33 tem as an employee of Sagadahoc County.

34 2. Sagadahoc County shall continue to be a local
35 participating district for those former employees who are
36 receiving retirement allowances or who are eligible for
37 retirement benefits and all employees as of the effective
38 date of withdrawal who have not withdrawn their contribu-
39 tions from the system. For the purposes of this subsection,
40 those employees remaining in the system and Sagadahoc County
41 are subject to the Revised Statutes, Title 5, chapter 101.

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

3 **STATEMENT OF FACT**

4 This bill allows Sagadahoc County to withdraw from the
5 retirement system prospectively. Any employee who was a
6 member of the retirement system prior to the effective date
7 of this bill will be allowed to remain in the current
8 retirement system. All new employees after that date will
9 be ineligible for membership in that retirement system.
10 This bill retains the special provision which allows current
11 members of the system one year to withdraw their contribu-
12 tions if they so desire. It does not affect the withdrawal
13 provisions in the current law for those employees remaining
14 in the system.

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