

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 373

S.P. 94

In Senate, January 23, 1997

**Resolve, to Exempt Matthew Scott from Maine State Retirement System
Restrictions on Income Earned as Deputy Commissioner of Inland
Fisheries and Wildlife.**

(EMERGENCY)

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CAREY of Kennebec.

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

Whereas, the position of Deputy Commissioner of Inland Fisheries and Wildlife is a confidential, appointed and classified position under the Bureau of Human Resources; and

Whereas, the Maine State Retirement System does not allow the deputy commissioner to participate in full-time employment without penalty; and

Whereas, Matthew Scott, a retired state employee of 32 years of classified service, is the only current appointed employee with that penalty imposed on him; and

Whereas, these facts create an emergency on his part to continue employment within the department's mission; 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

Sec. 1. Exemption from participation. Resolved: That Matthew Scott is exempt from the requirement that he participate in the Maine State Retirement System while he is employed as the Deputy Commissioner of Inland Fisheries and Wildlife; and be it further

Sec. 2. Retroactivity. Resolved: That this resolve applies retroactively to January 1, 1997.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

SUMMARY

Matthew Scott is the only deputy commissioner in an appointed position not set by term and therefore seeks exemption from being required to return to the Maine State Retirement System. This bill provides that the exemption is effective January 1, 1997. The exemption terminates with the employment termination at the Department of Inland Fisheries and Wildlife as the deputy commissioner.