

# MAINE STATE LEGISLATURE

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# EIGHTY-FIFTH LEGISLATURE

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**Legislative Document**

**No. 640**

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S. P. 479

In Senate, Feb. 18, 1931.

Referred to Committee on Pensions and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Southard of Kennebec.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTY-ONE

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AN ACT Providing For a Pension Fund For the Members of  
the State Highway Police.

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

Section 1. There is hereby established a fund to be known as the State Highway Police Pension Fund. Any member of the state highway police who has served in said state highway police for a period of twenty years, who has reached the age of fifty-five years, upon application by said member to the chief of the state highway police and upon recommendation of said chief, together with certificate of service and with the approval of the governor and council, shall be retired and shall thereupon receive monthly, from said pension fund an amount equal to one-half of the average salary received by such member during the last five years prior to the time of his retirement.

Sec. 2. Any member of said state highway police who may hereafter receive permanent disability in the performance of his duty shall upon the certificate of a physician, designated for the purpose by the chief of the state highway police, be retired upon a pension equal to not less than one-fourth nor more than one-half of his salary at the time of his retirement. Where, however, a person being a member of the state highway police shall desire to retire by reason of injury or disease,

such person shall make application in writing to the chief of the state highway police for such retirement. Said application shall be referred by said chief to the governor and council, whereupon the governor and council shall call to their assistance the aid of a surgeon or physician representing the state highway police department, and the person making application may likewise call to his aid a regularly licensed and practicing physician or surgeon. Any member of the governor and council is authorized to administer oaths to said physician or any other person called with respect to the matter before them, and the governor and council shall determine, by resolution, whether said person is entitled to the benefits of this act. In case the two physicians, called as hereinbefore provided, fail to agree upon the physical condition of the applicant, then the governor and council may call a third, disinterested, licensed and practicing physician or surgeon, and the determination of a majority of said three physicians, to be personally sworn in the case, shall be reduced to writing and signed by them, and the governor and council shall consider the same in arriving at their decision. No member shall be entitled to apply for said pension for incapacity resulting from his own vicious habits.

Sec. 3. The widow or children under the age of sixteen years, or sole dependent parent of any member of the state highway police who shall hereafter lose his life in the performance of his duty, or where death results from an injury received in the performance of duty, shall receive a pension equal to not less than one-fourth nor more than one-half of his salary at the time of his death; provided, that in case of a widow and children such pension shall be for the widow and the children and shall be paid to the widow, in case there are three or more children under the age of sixteen years and no widow, the said children shall receive the pension in equal shares until they attain the age of sixteen years, in case there are two children under the age of sixteen years and no widow, they shall be paid twenty-five dollars per month each until they attain the age of sixteen years, in the case of only one child and no widow, he or she shall be paid the sum of thirty dollars monthly until he or she attains the age of sixteen years; and provided, further, that in case there is no widow and no

children under the age of sixteen years then such pension shall be paid to the sole parent dependent upon the deceased member; and providing, further, that if any widow entitled to a pension aforesaid remarries, or sole dependent parent remarries, then such pension shall cease and shall not be paid to such widow or her children or to such sole dependent parent.

Sec. 4. The fund shall be created in the following manner for the purpose of paying such pensions, to wit: There shall be deducted from the weekly payroll of each member of the state highway police two per centum of the amount of his salary and such amount shall be turned over to the state treasurer and shall be credited by him to the account of the State Highway Police Pension Fund, and that five per centum of all fines, costs and forfeitures collected by any trial justice, municipal court or superior court, wherein a member of the state highway police shall be the complaining witness, or bound over case in which a member of the state highway police shall be the complaining witness, shall be paid forthwith by the official receiving said money to the state treasurer to be credited to said State Highway Police Pension Fund.

Sec. 5. The treasurer of state shall invest said monies so received in accordance with the provisions of section eighty-six of chapter two of the revised statutes, and shall disburse said monies upon authorization for the purposes above stated on order of the governor and council.