

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 545

H. P. 955

House of Representatives, February 8, 1945.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Payson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to State Employees' Retirement System.

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

Sec. 1. R. S., c. 60, § 1, sub-§ IV, amended. Subsection IV of section 1 of chapter 60 of the revised statutes is hereby amended to read as follows:

IV. "Employee" shall mean any regular classified or unclassified officer or employee in a department, including teachers in the state normal schools and Madawaska training school, **all officials and employees of the University of Maine**, and superintendents of schools ~~in service as such prior to July 1, 1921~~, but shall not include any member of the state legislature or the council, nor shall it include any member of the state police who is now entitled to retirement benefits under the provisions of sections 21 and 22 of chapter 13, or any judge of the superior court or supreme judicial court who is now or may be later entitled to retirement benefits under the provisions of section 5 of chapter 91 and section 3 of chapter 94. In all cases of doubt the board of trustees shall determine whether any person is an employee as defined in this chapter.'

Sec. 2. R. S., c. 60, § 3, sub-§ II, amended. Subsection II of section 3 of chapter 60 of the revised statutes is hereby amended to read as follows:

‘II. Any person who is an employee on the date of establishment shall become a member as of that date, unless within 30 days thereafter he shall file with the board of trustees on a form prescribed by the board a notice of his election not to be included in the membership of the system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the retirement system. Any employee who elects not to become a member by filing such a waiver may thereafter apply for and be admitted to membership, but no such employee shall receive prior service credit unless he becomes a member within ~~the first year~~ **4 years** after the date of establishment.’

Sec. 3. R. S., c. 60, § 3, sub-§ II, ¶ A, amended. Paragraph A of subsection II of section 3 of chapter 60 of the revised statutes is hereby amended by adding at the end thereof a new sentence to read as follows:

‘Any employee of the federal employment service who transfers to a state department prior to the time said service is returned to state control, shall be allowed prior service credit and membership credit for such time as he was with the said federal employment service provided he makes up such contributions as may be necessary to cover membership credit.’

Sec. 4. R. S., c. 60, § 3, sub-§ III, amended. The 2nd paragraph of subsection III of section 3 of chapter 60 of the revised statutes is hereby amended to read as follows:

‘Any person, who becomes a member prior to July 1, 1943 and who has total prior service credit of at least 22 years, shall be entitled to a total retirement allowance of $\frac{1}{2}$ average final compensation, provided he is still a member and has creditable service of at least 25 years on retirement. If any such member should become eligible under the provisions of this system, as a result of prior service and membership service, to a retirement allowance in excess of $\frac{1}{2}$ of his average final compensation, he shall be entitled to the higher retirement allowance. Any employee may, if he so elects, pay into the retirement system any or all back contributions covering any or all of the period from July 1, 1942 to July 1, ~~1943~~ **1946 and receive therefor the proper membership credit for the period for which such back contributions are made.’**