

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 998

H. P. 1646

House of Representatives, February 23, 1949

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Participation of Employees of the City of Lewiston
in a Contributory Employees' Retirement System.

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

Sec. 1. P. & S. L., 1939, c. 8, Art. XI, amended. Article XI of chapter 8 of the private and special laws of 1939, as amended, is hereby further amended by adding thereto a new section, to be numbered 27, to read as follows:

'Sec. 27. Limitations. The provisions of this article with reference to the retirement benefits in favor of the members of the Lewiston police department, including the chief of police and police matron, shall not apply to those who elect to participate in any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, nor to any person who shall become employed in said police department after the date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance.

Any person who shall become a permanent member of said police department after the effective date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon recommendation of the board of finance, shall, as a condition of employment, become a participating member in said contributory employees' retirement system.'

Sec. 2. P. & S. L., 1939, c. 8, Art. XII, § 17, additional. Article XII of chapter 8 of the private and special laws of 1939, as amended, is hereby further amended by adding thereto a new section to be numbered 17, to read as follows:

'**Sec. 17. Limitations.** The provisions of this article with reference to the retirement benefits in favor of the members of the Lewiston fire department shall not apply to the members thereof who elect to participate in any contributory employees' retirement system, which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, nor to any person who shall become employed in said fire department after the date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance.

Any person who shall become a permanent member of said fire department after the effective date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon recommendation of the board of finance, shall, as a condition of employment, become a participating member in said contributory employees' retirement system.'

Sec. 3. P. & S. L., 1939, c. 8, Art. XVI, § 19, sub-§ VI, additional. Section 19 of Article XVI of chapter 8 of the private and special laws of 1939, as enacted by chapter 86 of the private and special laws of 1945, is hereby amended by adding at the end thereof a new subsection, to be numbered VI, to read as follows:

'**VI. Limitations.** The provisions of this section shall not apply to any employee of the city of Lewiston who elects to participate in any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, nor to any person who shall become employed by the city of Lewiston after the date of the establishment of any contributory employees' retirement system which may hereafter be estab-

lished, authorized or approved by the city council upon the recommendation of the board of finance.

Any person who shall become employed by the city of Lewiston after the effective date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, shall, as a condition of employment, become a participating member in said contributory employees' retirement system.'

Sec. 4. P. & S. L., 1939, c. 8, Art. XVI, § 19, amended. The 1st paragraph of section 19 of Article XVI of chapter 8 of the private and special laws of 1939, as enacted by chapter 86 of the private and special laws of 1945, is hereby amended to read as follows:

'The power to promulgate, enact and amend, by ordinance, a pension plan for ~~city~~ the employees ~~not presently~~ of the city of Lewiston, who prior to the year 1945 were not provided for in a system of retirement or disability benefits, shall be vested in the ~~board of mayor and aldermen~~ city council, subject, however, to the provision that no such ordinance, or amendment thereto, involving a matter of cost, expense or finances, shall hereafter be enacted by the city council without the approval or the recommendation of the board of finance. Provided, ~~however~~ also, that such pension plan shall include the following:'

Sec. 5. P. & S. L., 1939, c. 8, Art. XVI, § 21, additional. Article XVI of chapter 8 of the private and special laws of 1939, as amended, is hereby further amended by adding thereto a new section, to be numbered 21, to read as follows:

'Sec. 21. Certification of creditable prior service of municipal employees. It shall be the duty of the board of finance to establish and institute the procedure and machinery necessary to investigate and properly certify the creditable prior service of all the employees in the various departments of the city of Lewiston, now subject to any existing non-contributory retirement or pension plan, and of those employees who shall participate in any contributory employees' retirement plan which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance; and to maintain a complete file of the data pertaining to the employment and service of all employees in the employment of the city of Lewiston. It shall be the duty of the board of finance to certify to the proper authorities the creditable prior service of all employees in the employment of the city of Lewiston, under any retirement or pension system.'