

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 26**

H. P. 60

House of Representatives, January 11, 1951.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Watson of Moose River Pl.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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**RESOLVE, in Favor of Sylvia B. Holden, of Moose River.**

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**Sylvia B. Holden; retirement benefit granted. Resolved:** That there be, and hereby is, granted to Sylvia B. Holden, of Moose River, a retirement benefit of \$64.57 per month during her lifetime, to be paid from the funds of the Maine state retirement system. Said monthly retirement benefits shall be retroactive to September 8, 1949.

## STATEMENT OF FACTS

Levi Andrew Holden, an employee of the state highway commission for over 36 years, applied on August 8, 1949 for retirement under the provisions of the Maine Retirement System Law electing Option 2 thereunder and naming his wife as a beneficiary.

Mr. Holden died on August 8, 1949. Benefits under the Maine State Retirement Law cannot be effective as such for at least 30 days subsequent to the date the application for such benefits is filed. In the case of Mr. Holden this meant that benefits which he had elected could not be operative and effective until September 8. In the case of optional benefits elected by a retiree, when death occurs prior to the date such benefits are effective, the only payments that can be made to the beneficiary are the actual amount contributed to the System, retirement benefits as such not being payable in such instances.

Due to the long and faithful service of the late Mr. Holden and his apparent understanding that the Options would be effective immediately upon his application, it is believed that it is only just and equitable that his widow should receive the benefit which Mr. Holden obviously originally believed she would receive upon his death.