

MAINE STATE LEGISLATURE

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

Legislative Document

No. 332

S. P. 123

In Senate, February 4, 1953

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Reid of Kennebec

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT to Clarify Certain Procedures Under Maine State Retirement
Law.

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

Sec. 1. R. S., c. 60, § 4, sub-§ IV, repealed. Subsection IV of section 4 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, is hereby repealed.

Sec. 2. R. S., c. 60, § 6, sub-§ VI, amended. Subsection VI of section 6 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, as amended, and as renumbered by section 90 of chapter 266 of the public laws of 1951, is hereby further amended to read as follows:

‘VI. In order to obtain the benefits of subsection III, IV ~~and~~, V, **V-A and V-B** of this section, the member must have attained the age of 55, must have served 25 years in one of the above capacities, and anything to the contrary notwithstanding retirement is compulsory at attained age of 60. Provided further, on the request of the governor with the approval of the council, the board of trustees may permit the continuation for periods of 1 year, as the result of each such request, of the service of any member, entitled to the benefit of subsections III, IV ~~and~~, V, **V-A**

and V-B, who has attained the age of 60 and who desires to remain in service.'

Sec. 3. R. S., c. 60, § 8, amended. Section 8 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, is hereby amended to read as follows:

'**Sec. 8. Restoration to service.** Should a disability beneficiary or any other beneficiary be restored to service and should his annual earnable compensation then or at any time thereafter be equal to or greater than his average final compensation at retirement, his retirement allowance shall cease, the beneficiary shall again become a member of the retirement system, and he shall contribute thereafter at the same rate he paid prior to his retirement. Anything in this chapter to the contrary notwithstanding, any prior service certificate on the basis of which his service was computed at the time of his former retirement shall be restored to full force and effect, and in addition, upon his subsequent retirement he shall be credited with all the service as a member creditable to him at the time of his former retirement; ~~but should he be restored to membership after attainment of the age of 55, his pension upon subsequent retirement shall not exceed the sum of the pension which he was receiving immediately prior to his last restoration to membership~~ and the pension that may have accrued to him on account of membership service since his last restoration to membership, provided that the rate per cent of his total pension on his subsequent retirement shall not exceed the rate he would have received had he remained in service during the period of his prior retirement.'

Sec. 4. R. S., c. 60, § 14, sub-§ VI, amended. Subsection VI of section 14 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, is hereby amended to read as follows:

'**VI. Expense fund.** The expense fund shall be the fund to which shall be credited all money provided by the state to pay the administration expenses of the retirement system, and from which shall be paid all the expenses necessary in connection with the administration and operation of the system. Biennially the board of trustees shall estimate the amount of money which shall be deemed necessary to be paid into the expense fund during the ensuing biennium to provide for the expenses of operation of the retirement system, and such amount shall be paid by the state to the expense fund for this purpose. Any unexpended balance at the end of each fiscal year shall ~~lapse to the general fund~~ **be carried forward to the next fiscal year.**'

Sec. 5. R. S., c. 60, § 16, sub-§ II, amended. Subsection II of section 16 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, is hereby amended to read as follows:

‘II. Membership in the retirement system shall be optional with employees in the service of a participating local district on the date when participation of the local district begins, and any employee then in service who elects to join the retirement system ~~within 4 years~~ thereafter shall be entitled to a prior service certificate covering such periods of previous service as shall be certified by the participating local district as creditable prior service rendered to such local district, or to the state, for which the participating local district is willing to make accrued liability contributions **and all membership service credits for which contributions are paid into the system by such a member.** Membership shall be compulsory for all employees entering the service of such participating local district thereafter, except those who are exempted under the provisions of subsection I hereof.’