

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. 1190

H. P. 1049

House of Representatives, February 26, 1953.

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

HARVEY R. PEASE, Clerk

Presented by Mr. Trafton of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

**AN ACT Relating to Pensions for Firemen and Their Dependents Under
the Maine State Retirement System.**

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

Sec. 1. R. S., c. 60, § 7, sub-§ I, amended. Subsection I of section 7 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, and as amended, is hereby further amended to read as follows :

'I. Upon the application of a member in service or of his department head, any member who has had 10 or more years of creditable service, **or any member in service who is a member of a fire department upon the determination by the board that he has incurred disability as the result of injuries received in the line of duty,** may be retired by the board of trustees on a disability retirement allowance upon filing such application; provided that the medical board, after a medical examination of such member, shall certify that the member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that he should be retired.'

Sec. 2. R. S., c. 60, § 7, sub-§ II, ¶ C, additional. Subsection II of section 7 of chapter 60 of the revised statutes, as repealed and replaced by section

3 of chapter 384 of the public laws of 1947, and as amended, is hereby further amended by adding thereto a new paragraph to be lettered C, to read as follows:

'C. One-half the average final compensation of such member in the case of a member of a fire department who has incurred disability as the result of injuries received in the line of duty.'

Sec. 3. R. S., c. 60, § 6, sub-§ V-B, amended. Subsection V-B of section 6 of chapter 60 of the revised statutes, as enacted by chapter 328 of the public laws of 1951, is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'If a member of the retirement system who is a member of a fire department shall die as the result of injury received in line of duty, his widow, or, if none, his minor child or children shall receive an annual sum equal to $\frac{1}{2}$ the average final compensation of such member at time of his death. Such annual sum shall be paid to the widow until she dies or remarries and to a child or children until they die or reach the age of 18 years. If there is no wife, child or children under the age of 18 years, surviving such fireman, such annual sum shall be paid to his totally dependent father or mother, or both, or the survivor of them, as the governor and council, or board of trustees, as the case may apply, shall determine during dependency. Such sums shall be paid in equal weekly installments.'