

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1095**

S. P. 399

In Senate, March 5, 1957

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Butler of Franklin.

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

### **AN ACT Relating to Benefits of Social Security Extending to Employees of National Guard.**

**Emergency preamble.** Whereas, the civilian employees of the Adjutant General's Department employed under Section 90 of the National Defense Act are not members of a retirement system; and

Whereas, their eligibility for participation in Social Security is prohibited by current law; and

Whereas, appreciable benefits under Social Security will be lost forever to these employees if Social Security coverage is not obtained during the calendar year 1957; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. R. S., c. 65, § 1, amended.** The 1st sentence of section 1 of chapter 65 of the Revised Statutes is hereby amended to read as follows:

'In order to extend to employees of the political subdivisions of the State of Maine, and to the civilian employees of the Maine National Guard who are employed pursuant to Section 90 of the National Defense Act of June 3, 1916 (32 U. S. C., Sec. 42), who are not members of existing retirement or pension systems, the benefits of Social Security, provided under the Federal Social Security

Act enacted by the Congress of the United States, it is declared to be the policy of the Legislature, subject to the limitations of this chapter, that such steps be taken as to provide such protection to **such employees of the political subdivisions of the State** on as broad a basis as is permitted under the Social Security Act.'

**Sec. 2. R. S., c. 65, § 2, amended.** Section 2 of chapter 65 of the Revised Statutes is hereby amended by inserting after the 3rd paragraph thereof a new paragraph, as follows:

'The phrase "the civilian employees of the Maine National Guard who are employed pursuant to Section 90 of the National Defense Act of June 3, 1916 (32 U. S. C., Sec. 42)" means the civilian employees of the Maine National Guard who are employed pursuant to Section 90 of the National Defense Act of June 3, 1916 (32 U. S. C., Sec. 42) and paid from funds allotted to the Maine National Guard by the Department of Defense and such employees shall for the purpose of this chapter, be deemed to be employees of the State of Maine; provided, however, that the provisions of this chapter shall apply to the Maine National Guard, with respect to such employees, as if it constituted a "political subdivision" within the meaning of this section.'

**Sec. 3. R. S., c. 65, § 3, amended.** The 1st sentence of section 3 of chapter 65 of the Revised Statutes is hereby amended to read as follows:

'The State Agency, with the approval of the Governor, is authorized to enter on behalf of the State into an agreement with the Federal Security Administrator, consistent with the terms and provisions of this chapter, for the purpose of extending the benefits of the Federal Old Age and Survivors Insurance System to employees of any political subdivision of the State and to the civilian employees of the Maine National Guard who are employed pursuant to Section 90 of the National Defense Act of June 3, 1916 (32 U. S. C., Sec. 42), with respect to services specified in such an agreement which constitute "employment" as defined in section 2.'

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.