

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

'Sec. 14. Compensation for death of employee; how apportioned. If death results from the injury, the employer shall pay the dependents of the employee, wholly dependent upon his earnings for support at the time of his accident, a weekly payment equal to $\frac{2}{3}$ his average weekly wages, earnings or salary, but not more than ~~eighteen dollars~~ \$21 nor less than ~~six dollars~~ \$7 a week, from the date of death for a period ending 300 weeks from the date of the accident, and in no case to exceed ~~four thousand dollars~~ \$5,000. Provided, however, that if the dependent of the employee to whom compensation shall be payable upon his death is the widow of such employee, upon her death or remarriage compensation to her shall cease; and the compensation to which she would have been entitled thereafter but for such death or remarriage shall be paid to the child or children, if any, of the deceased employee, including adopted and stepchildren, under the age of 18 years, or over said age but physically or mentally incapacitated from earning, who are dependent upon the widow at the time of her death or remarriage.

If the dependent is the widower, upon his death the remainder of the compensation which would otherwise have been payable to him shall be payable to the children above specified, if any, who at the time thereof are dependent upon him. In case there is more than 1 child thus dependent, the compensation shall be divided equally among them. Provided further, that except in the case of dependents who are physically or mentally incapacitated from earning, compensation payable to any dependent child under the age of 18 years shall cease upon such child's reaching the age of 18 years or upon marriage.

If the employee leaves dependents only partly dependent upon his earnings for support at the time of his accident, the employer shall pay such dependents for the said period of 300 weeks, a weekly compensation equal to the same proportion of the weekly payments herein provided for the benefit of persons wholly dependent as the total amount contributed by the employee to such partial dependents for their support during the year prior to his accident bears to the earnings of the employee during said period.'

Effective July 9, 1943

Chapter 329

AN ACT Relating to Membership in the Jointly-Contributory Retirement System for State Employees, Except Teachers.

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

Sec. 1. P. L., 1933, c. 1, § 227-C, sub-§ 3, amended. Subsection 3 of section 227-C of chapter 1 of the public laws of 1933, as enacted by chap-

ter 328 of the public laws of 1941, is hereby repealed and the following enacted in place thereof:

'(3) Any person who becomes a member prior to July 1, 1943, and who has total prior service credit of at least 13 years shall be entitled to a total retirement allowance of $\frac{1}{2}$ average final compensation after attaining at least age 65, provided he is still a member and has creditable service of at least 25 years on date of retirement; provided further, that any such member upon attaining age 70, and having creditable service of at least 20 years, shall be entitled to a total retirement allowance of $\frac{1}{2}$ average final compensation. If any such member should become eligible under the provisions of this system, as a result of prior service and membership service, to a retirement allowance in excess of $\frac{1}{2}$ of his average final compensation he shall be entitled to the higher retirement allowance.

Any person who becomes a member prior to July 1, 1943, and who has total prior service credit of at least 22 years shall be entitled to a total retirement allowance of $\frac{1}{2}$ average final compensation, provided he is still a member and has creditable service of at least 25 years on retirement. If any such member should become eligible under the provisions of this system, as a result of prior service and membership service, to a retirement allowance in excess of $\frac{1}{2}$ of his average final compensation he shall be entitled to the higher retirement allowance. Any employee may, if he so elects, pay into the retirement system any or all back contributions covering any or all of the period from July 1, 1942, to July 1, 1943, and receive therefor the proper membership credit for the period for which such back contributions are made.'

Sec. 2. P. L., 1933, c. 1, § 227-E, sub-§ 1, amended. The first sentence of paragraph (b) of subsection 1 of section 227-E of chapter 1 of the public laws of 1933, as enacted by chapter 328 of the public laws of 1941, is hereby amended to read as follows:

'(b) Any member in service who attains age 70 and any ~~member~~ employee who has attained age 70 on the date of establishment, shall be retired forthwith on a service retirement allowance, or on the 1st day of the next calendar month; except that any member who is an elected official of the state or an official appointed for a term of years may remain in service until the end of the term of his office for which he was elected or appointed.'

Effective July 9, 1943