

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-sixth Legislature

1953

Chapter 411

AN ACT Relating to Waiver of Restrictive Provisions in Deeds.

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

R. S., c. 79, § 249-A, additional. Chapter 79 of the revised statutes is hereby amended by adding thereto a new section to be numbered 249-A, to read as follows:

'Sec. 249-A. Recording of releases or waivers of conditions. Whenever land has been lotted in accordance with the provisions of section 249 and lots described therein have been conveyed by deeds of conveyance containing one or more uniform conditions which restrict the full and unqualified enjoyment of the right or estate granted, the grantor may subsequently by a writing under seal and by the grantor signed and acknowledged and recorded in the registry of deeds for the county or registry district in which the land lies, release and waive one or more of such conditions by reference to lot numbers, block numbers, section numbers or other apt description, and such release and waiver need not state a consideration and need not contain the names of the grantees or present owners of the respective parcels. Such release and waiver shall thereafter accrue to the respective individual benefit of the owners of the parcels described in such release and waiver and may be used by them as a bar to any action by the said grantor for breach of any such condition thus released and waived. Provided, however, that such writing shall not in any way affect or impair like conditions in respect to other deeds of lots shown on such plans and not included in such release and waiver, and such writing shall not in any way affect or impair other conditions contained in deeds of the parcels referred to in such release and waiver.'

Effective August 8, 1953

Chapter 412

AN ACT Relating to Membership in State Retirement System.

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

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 Subsection VI of section 3 of chapter 60 of the revised statutes, as repealed and replaced by section 3 of chapter 384 of the public laws of 1947, and as amended, is hereby further amended to read as follows:

'VI. Should any member ~~in any period of 15 consecutive years, after last becoming a member be absent from service more than 10 years, or should he~~ withdraw his contributions, or should he become a beneficiary as the result of his own retirement, or die, he shall thereupon cease to be a member; provided, however, that the membership of any employee entering such classes of military or naval service of the United States as may be approved by resolution of the board of trustees, shall be considered to be continued during such military or naval service if he does not withdraw his contributions, and provided further, that any employee who enlists in or is inducted or drafted into the service of the armed forces of the United States, in time of war including World War I between the dates of April 6, 1917 and March 3, 1921, inclusive, or while the provisions of Public Law 759, 80th Congress (Selective Service Act of 1948) or any amendment thereto or extension thereof shall be in effect, shall be considered as an employee under the provisions of this chapter and shall have all the benefits of section 23 of chapter 59, and the state shall contribute to the annuity savings fund or teachers' savings fund, whichever is applicable, such amounts as the employee would have been required to contribute if he had been serving the state during his service in the said armed forces in the same capacity as that in which he was serving at the time he joined the service; regardless of when he entered the United States armed forces or when he was released therefrom, provided such entry and release occurs during a time of war including World War I between the dates of April 6, 1917 and March 3, 1921, inclusive, or while the provisions of Public Law 759, 80th Congress (Selective Service Act of 1948) or any amendment thereto or extension thereof shall be in effect; provided, however, that any employee, whose contributions to the annuity fund are paid by the state under the provisions of this section, who withdraws from or ceases to be a member of the retirement system, may not withdraw any of the contributions made by the state under this subsection.'

Sec. 2. R. S., c. 60, § 3, sub-§ VIII, amended. Subsection VIII of section 3 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:

'VIII. Any employee who is a member of this retirement system may leave state service after ~~30~~ 10 years of creditable service and be entitled to a retirement allowance at attained age 60 provided the contributions made by such member have not been withdrawn, and provided further, that his retirement allowance shall be based upon the total number of years of creditable service, in accordance with the provisions of this chapter. Any benefit provided by this subsection shall be contingent upon

the established fact, as evidenced from the records of the retirement system, that any and all contributions ever made to the system by the member involved shall never have been withdrawn during any period of time dating from separation from service to the date on which such individual attains age 60 and/or applies for his retirement benefit.'

Effective August 8, 1953

Chapter 413

AN ACT Relating to Bookmobile Service.

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

Sec. 1. R. S., c. 38, § 11-B, additional. Chapter 38 of the revised statutes, as amended, is hereby further amended by adding thereto a new section to be numbered 11-B, to read as follows:

'Sec. 11-B. Bookmobile service. In furtherance of, and in addition to, the powers given in section 11, the state librarian is authorized and empowered to provide bookmobile service for residents of the state, especially to rural schools and farm homes.'

Sec. 2. Appropriation. There is hereby appropriated from the general fund of the state the sum of \$12,000 for the fiscal year ending June 30, 1954, and the sum of \$8,000 for the fiscal year ending June 30, 1955, for the purpose of carrying out the provisions of this act.

Effective August 8, 1953

Chapter 414

An Act Relating to Duties of Official Court Reporters.

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

R. S., c. 100, § 185, amended. Section 185 of chapter 100 of the revised statutes, as amended, is hereby further amended by adding at the end thereof a new paragraph, to read as follows:

'At the request of the president of the senate and the speaker of the house of representatives, the chief justice of the supreme judicial court may grant a leave of absence without pay, for not more than 5 months, to no more than 2 such official court reporters for legislative reporting. Such compensation