

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

corresponding body or a record of the vote of the town voters certified by the clerk of the town meeting, setting forth in such action those provisions of this chapter which are not to be accepted by the district in question, except that any local participating district may elect to retain any or all of those provisions of the retirement law said district accepted at the time of the original agreement and including any changes subsequently accepted or selected by the district.

II. The executive secretary of the retirement system shall, immediately following the effective date of this chapter, cause to be mailed by registered mail a written notice to each participating local district which was in the system as of July 1, 1955 setting forth the provisions of the preceding subsection. Any participating local district shall be entitled to a revaluation in order to determine the cost of any new provisions of the chapter which may be adopted; the expense of making such revaluation shall be assessed to and paid by the participating local district involved.'

Sec. 2. R. S., c. 64, repealed. All of chapter 64 of the revised statutes of 1954 is hereby repealed.

Effective August 20, 1955

Chapter 418

AN ACT Relating to Disability Retirement Benefits Under the Maine State Retirement System.

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

Sec. 1. R. S., c. 64, § 8, sub-§ I, amended. Subsection I of section 8 of chapter 64 of the revised statutes is hereby amended to read as follows:

'I. Upon the application of a member 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~~ regardless of years of creditable service 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. The Board of Trustees shall determine upon receipt of proper proof that the injury received in line of duty occurred while in actual performance of duty at some definite time and place and was not caused by the willful negligence of the member.'

Sec. 2. R. S., c. 64, § 8, sub-§ II, ¶ C, amended. Paragraph C of subsection II of section 8 of chapter 64 of the revised statutes is hereby amended to read as follows:

'C. ~~One-half~~ 66 2/3% of 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.'

Effective August 20, 1955