

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth 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.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1959

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

At The

SPECIAL SESSIONS, OCTOBER 28-31, 1957,

JANUARY 13-16, 1958,

MAY 6-8, 1958

Chapter 422

AN ACT Relating to Contributions and Eligibility of Survivor Benefits and Membership of Certain Teachers under Maine State Retirement Law.

Emergency preamble. Whereas, it would be highly difficult to collect retro-active deductions for the Survivor Benefit Plan for the period July 1, 1957 to the legally effective date of the act, August 28, 1957; and

Whereas, a so-called limitation or savings clause was omitted on one of the amendments to the law enacted at the regular session; and

Whereas, an obvious inequity exists in the present language of the Survivor Benefit section of the law with respect to the number of months of service a member must have to be eligible for such protection; and

Whereas, it is highly probable that without this emergency preamble laws enacted at the first special session of the 98th Legislature might not become effective until 90 days following the contemplated second special session of the Legislature; 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 legis-lation 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. 63-A, § 5, amended. The last paragraph of section 5 of chapter 63-A of the Revised Statutes, as enacted by section 3 of chapter 367 of the public laws of 1957, is hereby amended to read as follows:

'Each member shall, as soon after July 1, 1957 as the Board of Trustees de-termines is practicable, make a contribution of ~~¼%~~ ¼ of 1% of earnable com-pensation to the survivors' benefit fund as long as he is employed.'

Sec. 2. R. S., c. 63-A, § 6, sub-§ V, amended. Subsection V of section 6 of chapter 63-A of the Revised Statutes, as enacted by chapter 156 of the public laws of 1957, is hereby amended by adding at the end thereof a new sentence to read as follows:

'This section shall apply only to those teachers who are unable to qualify for a retirement allowance under any other provision of this chapter.'

Sec. 3. R. S., c. 63-A, § 9, sub-§ I, ¶ B, sub-¶ 1, amended. Subparagraph 1 of paragraph B of subsection I of section 9 of chapter 63-A of the Revised Statutes, as repealed and replaced by section 4 of chapter 367 of the public laws of 1957, is hereby amended to read as follows:

'1. General eligibility provision for non-service-connected death. The de-ceased member must have had at least 18 months of creditable service **any por-tion of which had been rendered** within the 42 months prior to date of death, or be under 60 years of age and receiving at the time of death an ordinary

disability allowance as provided in section 7 and any lump sum due under section 7 shall be paid into the survivors' benefit fund.'

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

Effective October 31, 1957

Chapter 423

AN ACT Relating to Speed of Motor Vehicles.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the new speed laws for motor vehicles enacted by the 98th Legislature in regular session has created many problems of enforcement of such laws; and

Whereas, it is the legislative intent to eliminate one of the dangerous hazards of our motor age, namely, accidents and deaths on our highways; and

Whereas, the following legislation is vitally necessary in order to protect as far as possible the motoring public as well as pedestrians; 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. 22, § 113, amended. Section 113 of chapter 22 of the Revised Statutes, as repealed and replaced by section 4 of chapter 317 of the public laws of 1957, is hereby amended to read as follows:

'Sec. 113. Speed regulations.

I. Any person driving a vehicle on a way shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the highway, and of any other conditions then existing. ~~No person shall operate any motor driven cycle at any time mentioned in section 136 at a speed greater than 35 miles per hour unless such motor driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.~~

II. ~~Subject to the provisions of subsection I~~ Except where the conditions contained in subsection I require a lower speed for compliance with subsection I the following maximum rates of speed are established:

A. Speed in excess of 15 miles an hour when passing a school during recess or while children are going to or leaving school during opening or closing hours shall be unlawful;