

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 13

H. P. 13

Office of the Clerk of the House

Filed December 29, 1964 under Joint Rule 19A by Mrs. Carswell of Portland.
To be printed and delivered to the House of Representatives of the 102nd Legislature.

HARVEY R. PEASE, Clerk

Presented by Mrs. Carswell of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Death Benefits for Members of the State Police.

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

Sec. 1. R. S., T. 5, § 1125, sub-§ 1, amended. The first sentence of subsection 1 of section 1125 of Title 5 of the Revised Statutes is amended to read as follows:

'If a member of the retirement system who is a member of a fire or police department ~~or a member of the State Police~~ shall die as the result of injury received in line of duty, his widow, or, if none, his child or children under age 18, jointly, shall receive an annual sum equal to $\frac{1}{2}$ the average final compensation of such member at time of his death.'

Sec. 2. R. S., T. 5, § 1125, sub-§ 1-A, additional. Section 1125 of Title 5 of the Revised Statutes is amended by adding a new subsection 1-A to read as follows:

'1-A. State Police who are members. If a member of the retirement system who is a member of the State Police shall die as a result of an injury received in the line of duty his beneficiary, if his widow, and if there is no surviving child or children under age 18, shall receive an annual sum equal to $\frac{2}{3}$ of the current annual salary of the member; or his beneficiary, if his widow, if the member is survived by a widow and a child or children under age 18, jointly, shall be entitled to an annual sum equal to the current annual salary of the member; or his beneficiary, if his child or children, if the member is survived only by a child or children under age 18, jointly, shall receive an annual sum equal to the current annual salary of the member.'

When the beneficiaries are a widow and child or children under age 18, they shall be paid the annual sum equal to the current annual salary only until the youngest surviving child reaches age 18, at which time the annual sum paid shall be reduced to $\frac{2}{3}$ of the annual salary of the member.

When the beneficiaries are a child or children under age 18, he or they shall be paid the annual sum equal to the current annual salary only until the youngest surviving child reaches age 18, at which time all payments shall cease.'

Sec. 3. R. S., T. 5, § 1125, sub-§ 2, repealed and replaced. Subsection 2 of section 1125 of Title 5 of the Revised Statutes is repealed and the following enacted in place thereof:

'2. State Police who are not members. If a member of the State Police who is not a member of the Retirement System shall die as a result of injury received in line of duty, his widow shall receive an annual sum equal to $\frac{2}{3}$ of current annual compensation, if the member was not survived by a child or children under age 18, or if he was survived by a widow and child or children under age 18, jointly, they shall receive an annual sum equal to the current annual salary such officer was earning at the time of his death, or if the officer was survived only by a child or children under age 18, jointly, they shall receive an annual sum equal to the current annual salary such officer was receiving at the time of his death. Such payments shall be made from the appropriation of the State Police.

When the beneficiaries are a widow and child or children under age 18, they shall be paid the annual sum equal to the current annual salary only until the youngest surviving child reaches age 18, at which time the annual sum paid shall be reduced to $\frac{2}{3}$ of the annual salary of the member.

When the beneficiaries are a child or children under age 18, he or they shall be paid the annual sum equal to the current annual salary only until the youngest surviving child reaches age 18, at which time all payments shall cease.'

Sec. 4. Effective date. This Act shall be retroactive and shall mean that any widow, child or children and who are presently receiving or entitled to receive benefits shall have the right to elect to change from the present payments, but once such an election to change has been made there shall be no further change after the first payment has been made.

Sec. 5. Appropriation. There is hereby appropriated from the General Fund the sum of \$2,236.28 for the year ending June 30, 1966 and the sum of \$2,236.28 for the year ending June 30, 1967 to carry out the purposes of this Act.