

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

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Legislative Document

No. 470

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H. P. 368

House of Representatives, January 21, 1965

Referred to Committee on Retirements and Pensions. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Glazier of Bangor.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FIVE

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**AN ACT Increasing Death Benefits Under State Retirement Law.**

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

**R. S., T. 5, § 1124, sub-§ 1, ¶ B, sub-¶ (1), div. (a)—(e), amended.** Divisions (a) to (e) of subparagraph (1) of paragraph B of subsection 1 of section 1124 of Title 5 of the Revised Statutes are amended to read as follows :

‘(a) A spouse, alive and not remarried at the time of the death of the member, shall be paid ~~\$75~~ **\$100** a month, commencing the first month after such death occurs and continuing until the date of his death or remarriage, whichever happens first, providing that the deceased member had 10 years of creditable service at the time of his death. Such spouse may qualify for this benefit in addition to any payments received as provided by division (b), but shall not receive this benefit simultaneously with that provided by division (b).

(b) A spouse, alive and not remarried at the time of the death of the member who has the care of unmarried children of the deceased member under 18 years of age, or any other progeny of the deceased who is considered to be mentally incompetent under the general statutes pertaining thereto, or who is certified to be mentally incompetent by the Medical Board of the Maine State Retirement System, or who is certified by the Medical Board of the Maine State Retirement System to be physically and permanently incapacitated, shall be paid ~~\$75~~ **\$100** a month, commencing the first month after such death occurs and continuing during his lifetime for such time as such children or progeny are in his care and he has not remarried.

(c) The unmarried child or children under 18 years, or any other progeny of the deceased who is adjudged mentally incompetent by a probate court in the State of Maine or who is certified by the Medical Board of the Maine State Retirement System to be physically and permanently incapacitated at the time of death of the member, shall receive benefits as follows:

One child shall be paid ~~\$75~~ \$100 per month.

Two children shall be paid ~~\$100~~ \$150 per month, which shall be divided equally between them.

Three children or more shall be paid ~~\$125~~ \$200 per month, which shall be divided equally among them.

The benefits shall commence the first month after the death of the member and be payable to each child until he reaches his 18th birthday or prior death, whichever occurs first. In the event of the marriage or death of any such child prior to his 18th birthday, subsequent benefits to the other children, if any, shall be payable as if he had never lived.

(d) A spouse living at the time of the death of the member and not remarried subsequent to the death of the member shall be paid ~~\$75~~ \$100 a month, commencing the first month after the attainment of 60 years of age and continuing until the date of his death or remarriage, whichever happens first. Such spouse may qualify for this benefit in addition to any payments received as provided by division (b) but shall not receive this benefit simultaneously with that provided by division (a) or division (b).

(e) A parent, if living at the time of the death of the member, and at least 60 years of age or when that age is attained shall be paid ~~\$75~~ \$100 per month. If both parents are eligible to benefits under this section and the older parent elects benefits under this subsection, the younger parent shall receive ~~\$50~~ \$75 per month if at least 60 years of age or when that age is attained. Upon the death of either parent, the survivor shall receive ~~\$75~~ \$100 per month. Such payments to any parent shall commence the first month after the death of the member occurs and continue until death or remarriage, whichever happens first. Benefits are only payable under this provision in the event no other benefits have been received in accordance with divisions (a), (b), (c) or (d).'