

MAINE STATE LEGISLATURE

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SECOND SPECIAL SESSION

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1817

S. P. 760

In Senate, January 9, 1967

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

JERROLD B. SPEERS, Secretary

Presented by Senator Boisvert of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-EIGHT

AN ACT Relating to Survivor Benefit Payments to Children
Under State Retirement Law.

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

R. S., T. 5, § 1124, sub-§ 1, ¶ B, sub-¶ (1), divs. (b) and (c), amended. Divisions (b) and (c) of subparagraph (1) of paragraph B, of subsection 1 of section 1124 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 29 of the public laws of 1965, are further amended to read as follows:

(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 unmarried children of the deceased member under 22 years of age and a full-time student** 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 \$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 unmarried children of the deceased member under 22 years of age and a full-time student** 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 in-

capacitated at the time of the death of the member, shall receive benefits as follows:

One child shall be paid \$100 per month.

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

Three children or more shall be paid \$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 until he reaches his 22nd birthday if a full-time student** or prior death, whichever occurs first. In the event of the marriage or death of any such child prior to his 18th birthday **or to his 22nd birthday if a full-time student**, subsequent benefits to the other children, if any, shall be payable as if he had never lived.

The board of trustees shall adopt such rules as are found necessary for a beneficiary to qualify as a full-time student.