

MAINE STATE LEGISLATURE

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D. OF R.

1

L.D. 292

2

(Filing No. S-296)

3

STATE OF MAINE

4

SENATE

5

112TH LEGISLATURE

6

FIRST REGULAR SESSION

7

SENATE AMENDMENT "A " to S.P. 94, L.D. 292,
8 Bill, "AN ACT Concerning Minimum Ordinary Death Bene-
9 fits."

10

Amend the bill by striking out everything after
11 the enacting clause and inserting in its place the
12 following:

13

'Sec. 1. 4 MRSA §1375, sub-§1, as enacted by PL
14 1983, c. 853, Pt. C, §§15 and 18, is repealed and the
15 following enacted in its place:

16

1. Normal method of payment.

17

A. Except as provided in paragraph B, all regu-
18 lar retirement allowances shall be paid for life
19 in equal monthly installments, adjusted in the
20 month which the death occurs to reflect the date
21 of death, unless an alternative method of payment
22 under one of the options of subsection 2 has been
23 elected.

24

B. Upon the death of a former member who was in
25 service as a judge prior to December 1, 1984, and
26 who was 50 years of age or older on that date
27 and:

28

(1) Who was eligible to retire on November
29 30, 1984, pursuant to section 5, 103, 157-A
30 or 1151, subsection 3, paragraph F, and who
31 is the recipient of a retirement allowance
32 under the normal method of payment, the sur-
33 living spouse who is the named beneficiary,
34 shall become entitled to 1/2 of the amount
35 being paid at the time of his death which
36 payment shall continue for the remainder of
37 his lifetime; or

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1 (2) Who is the recipient of a retirement
 2 allowance under the normal method of payment
 3 prior to December 1, 1994, the surviving
 4 spouse who is the named beneficiary, shall
 5 become entitled to a percentage of the
 6 amount being paid at the time of his death
 7 which payment shall continue for the remain-
 8 der of his lifetime. The percentage of the
 9 former member's retirement allowance paid to
 10 his surviving spouse shall be based upon the
 11 former member's retirement date, as follows:

12	<u>Retirement Date</u>	<u>Percentage</u>
13	December 1, 1984 to November 30, 1986	50%
14	December 1, 1986 to November 30, 1988	40%
15	December 1, 1988 to November 30, 1990	30%
16	December 1, 1990 to November 30, 1992	20%
17	December 1, 1992 to November 30, 1994	10%

18 Sec. 2. Application. This Act shall be applied
 19 retroactively to any former member of the Maine Judi-
 20 cial Retirement System who is retired, to whom this
 21 section would have been applicable and who is living
 22 on the effective date of this Act. Any member who,
 23 at the time he retired elected an optional retirement
 24 allowance, may elect to change his selection to pro-
 25 vide a retirement allowance under the normal method
 26 of payment. If the former member was eligible to re-
 27 tire under the law in effect prior to December 1,
 28 1984, this shall entitle his surviving spouse, who is
 29 the named beneficiary at the date of retirement to a
 30 retirement allowance which shall be equal to 1/2 of
 31 the amount being paid at the time of his death and
 32 which payment shall continue for the remainder of the
 33 surviving spouse's lifetime. If the former member
 34 was not eligible to retire under the prior law, but
 35 was 50 years of age or older on December 1, 1984,
 36 this shall entitle his surviving spouse, who is the
 37 named beneficiary at the date of retirement, to a re-
 38 tirement which shall be equal to a percentage of the

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1 amount being paid at the time of his death. The per-
2 centage paid to the surviving spouse is set forth in
3 a table in the Maine Revised Statutes, Title 4, sec-
4 tion 1375, subsection 1, paragraph B, subparagraph
5 (2) and shall continue for the remainder of the sur-
6 viving spouse's lifetime. The surviving spouse of
7 any such former member who has died before the effec-
8 tive date of this Act shall be entitled to make that
9 selection.

10 FISCAL NOTE

11 The additional state contribution that would be
12 required to fund the benefits of the Maine Judicial
13 Retirement System as a result of the enactment of the
14 proposed amendment to Legislative Document 292, with
15 spouse benefits graded from 50% in 1984-85 to 5% in
16 1993-94, are as follows:

17		<u>Additional Amount of</u>
18	<u>Benefits of System</u>	<u>Annual State Contribution</u>
19	Future service retirement	
20	benefits, including dis-	
21	ability benefits	\$ 20,112
22	Prior service - 10	
23	year funding	
24	\$786,156 increase	
25	in prior service reserve	<u>110,430</u>
26	Total	\$130,542'

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STATEMENT OF FACT

2 This amendment replaces the original bill and
3 provides pensions for surviving spouses of judges who
4 were over the age of 50 years on the day the Maine
5 Judicial Retirement System law became effective.

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8

NAME:

9

COUNTY: Cumberland

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