

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 979

H.P. 727 House of Representatives, March 27, 1987  
Reference to the Committee on Aging, Retirement and  
Veterans suggested and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative BAKER of Portland.  
Cosponsored by Senator CLARK of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Concerning Marital Property Relative  
to Retirement Benefits.

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

Sec. 1. 5 MRSA §17054, sub-§§1 and 2 as enacted  
by PL 1985, c. 801, §§5 and 7, are amended to read:

1. Retirement allowance available for child support. A member's retirement allowance shall be available to satisfy any child support obligation which is otherwise enforceable by execution, garnishment, attachment, assignment or other process; and

2. Accumulated contributions available for child support. A member's accumulated contributions, being refundable subject to refund under sections 17705,

1 17706, 18306 and 18307 shall be available, without  
2 application of the member, to satisfy any child sup-  
3 port obligation which is otherwise enforceable by ex-  
4 ecution, garnishment, attachment, assignment or other  
5 process;

6 Sec. 2. 5 MRSA §17054, sub-§§3, 4 and 5 are en-  
7 acted to read:

8 3. Retirement allowance available for domestic  
9 relations order. A member's retirement allowance  
10 shall be available to satisfy any division of proper-  
11 ty, spousal support or alimony order which is other-  
12 wise enforceable by execution, garnishment, attach-  
13 ment, assignment or other process;

14 4. Accumulated contributions available for do-  
15 estic relations order. A member's accumulated con-  
16 tributions, subject to refund under sections 17705,  
17 17706, 18306 and 18307, shall be available without  
18 application of the member to satisfy any division of  
19 property, spousal support or alimony order which is  
20 otherwise enforceable by execution, garnishment, at-  
21 tachment or other process; and

22 5. Selection of beneficiary and method of pay-  
23 ment under domestic relations order. Any division of  
24 property, spousal support or alimony order may deter-  
25 mine the beneficiary and method of payment under sec-  
26 tion 17804 or 18404.

27 STATEMENT OF FACT

28 This bill permits making the retirement contribu-  
29 tions and benefits of a member of the Maine State Re-  
30 tirement System part of a divorce settlement.

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