

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1251

H.P. 935 House of Representatives, April 13, 1987
Reference to the Committee on Aging, Retirement and
Veterans suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative BOST of Orono.

Cosponsored by Representatives MAYO of Thomaston, CLARK
of Millinocket, and MATTHEWS of Caribou.

STATE OF MAINE

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

1 AN ACT to Provide More Equitable Benefits for
2 the Surviving Spouse and Children of
3 Deceased Members of the Maine State
4 Retirement System.
5

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

8 § 5 MRSA §17953, sub-§§3 and 4, as enacted by PL
9 1985, c. 801, §§5 and 7, are repealed and the fol-
10 lowing enacted in their place:

11 3. Amount of survivor benefit payment to surviv-
12 ing spouse. If the surviving spouse of the qualify-
13 ing member elects a benefit under subsection 2, para-
14 graph A, only one of the following options may be
15 paid at one time.

1 A. Beginning the first month after qualifying
2 member's death, a surviving spouse of the quali-
3 ifying member shall be paid the greater of \$300
4 each month of the amount the deceased member
5 would have received had he worked until his 55th
6 birthday and then retired and continuing until
7 the date of the surviving spouse's death, if:

8 (1) The deceased member had 10 years of
9 creditable service at the time of his death;
10 or

11 (2) The surviving spouse is certified by
12 the medical board to be permanently mentally
13 incompetent or permanently physically inca-
14 pacitated and is determined by the executive
15 director to be unable to engage in any sub-
16 stantially gainful employment.

17 B. A surviving spouse of the qualifying member,
18 who has the care of the dependent child or depen-
19 dent children of the deceased qualifying member
20 and who is not eligible to receive a benefit un-
21 der paragraph A, shall be paid the greater of
22 \$300 each month or the amount the deceased member
23 would have received had he worked until his 55th
24 birthday and then retired, beginning the first
25 month after the death occurs and continuing dur-
26 ing the spouse's lifetime for as long as the sur-
27 viving spouse has the care of any dependent child
28 of the deceased member.

29 C. A surviving spouse of the qualifying member
30 who is not eligible to receive a benefit under
31 paragraph A or B shall be paid \$300 each month,
32 beginning the first month after the spouse
33 reaches 60 years of age and continuing until the
34 date of his death.

35 D. The \$300 minimum benefit specified under par-
36 agraphs A, B and C shall be adjusted annually at
37 the same time and by the same percentage as ad-
38 justments under section 17806.

39 4. Amount of survivor benefit to dependent chil-
40 dren. If the dependent child or dependent children
41 of the deceased qualifying member elect a benefit un-

1 der subsection 2, paragraph A, the payment of bene-
2 fits shall be governed as follows.

3 A. Each dependent child shall receive a benefit
4 of \$250 each month.

5 B. Benefits shall begin the first month after
6 the death occurs and shall continue as long as
7 the child meets the definition of "dependent
8 child" in section 17001, subsection 12.

9 C. The \$250 benefit specified under paragraph A
10 shall be adjusted annually at the same time and
11 by the same percentage as adjustments under sec-
12 tion 17806.

13

STATEMENT OF FACT

14 The present payments to surviving spouses and
15 children are inadequate. A family of 5 receives only
16 \$450 a month. This bill provides a modest, but more
17 realistic benefit. The bill also provides for auto-
18 matic adjustments reflecting increases in the cost-
19 of-living.

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