

MAINE STATE LEGISLATURE

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1 subsection 4, paragraph A:

2 (1) The total amount of the service
3 retirement benefit is:

4 (a) Except as provided in division (b),
5 1/2 of his average final compensation
6 and an additional 2% of his average
7 final compensation for each year of
8 membership service not included in
9 determining qualification under section
10 17851, subsection 4, paragraph A; or

11 (b) If his benefit would be greater,
12 the part of his service retirement
13 benefit based upon membership service
14 before July 1, 1976, shall be
15 determined, on a pro rata basis, on his
16 current annual salary on the date of
17 retirement and the part of his service
18 retirement benefit based upon membership
19 service after June 30, 1976, shall be
20 determined in accordance with division
21 (a); and

22 (2) Upon the death of a State Police Officer
23 who is receiving a retirement benefit after
24 qualifying under section 17851, subsection 4,
25 paragraph A, without optional modification,
26 or is retired under article 3, the surviving
27 spouse is entitled to a retirement benefit
28 which is 1/2 of the amount being paid at the
29 time of the officer's death. The payment
30 shall continue for the remainder of the
31 surviving spouse's lifetime or until he
32 becomes the dependent of another person.

33 For the purpose of this subparagraph,
34 "surviving spouse" means the person the
35 retired officer was married to at the time of
36 retirement or, if the retired officer is
37 divorced or widowed and remarried, the term
38 means the person legally married to the
39 officer at the time of the officer's death.

1 Sec. 2. 5 MRSA §17852, sub-§5, ¶B, as enacted
2 by PL 1985, c. 801, §§5 and 7, is amended to read:

3 B. Upon the death of a law enforcement officer of
4 the Department of Inland Fisheries and Wildlife
5 who is receiving a retirement benefit after
6 qualifying under section 17851, subsection 5,
7 without optional modification, or is retired under
8 article 3, the surviving spouse is entitled to a
9 retirement benefit which is 1/2 of the amount
10 being paid at the time of the officer's death. The
11 payment shall continue for the remainder of the
12 surviving spouse's lifetime or until he becomes
13 the dependent of another person.

14 For the purpose of this paragraph, "surviving
15 spouse" means the person the retired officer was
16 married to at the time of retirement or, if the
17 retired officer is divorced or widowed and
18 remarried, the term means the person legally
19 married to the officer at the time of the
20 officer's death.

21 Sec. 3. 5 MRSA §17852, sub-§6, ¶B, as enacted
22 by PL 1985, c. 801, §§5 and 7, is amended to read:

23 B. Upon the death of a law enforcement officer of
24 the Department of Marine Resources who is
25 receiving a retirement benefit after qualifying
26 under section 17851, subsection 6, without
27 optional modification, or is retired under article
28 3, the surviving spouse is entitled to a
29 retirement benefit which is 1/2 of the amount
30 being paid at the time of the officer's death. The
31 payment shall continue for the remainder of the
32 surviving spouse's lifetime or until he becomes
33 the dependent of another person.

34 For the purpose of this paragraph, "surviving
35 spouse" means the person the retired officer was
36 married to at the time of retirement or, if the
37 retired officer is divorced or widowed and
38 remarried, the term means the person legally
39 married to the officer at the time of the
40 officer's death.

