

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 556, L.D. 754, Bill, "An Act to Amend Certain Portions of the Maine Legislative Retirement System and the Maine Judicial Retirement System to Make Them Comparable to Similar Portions of the Maine State Retirement System Statutes"

Amend the bill in section 7, in subsection 1, in the 7th line (page 2, line 5 in L.D.) by inserting after the words "public school teacher" the following: 'or an employee of the Vocational-Technical Institute System'

Further amend the bill in section 14 by striking out all of that part designated "§859." (page 3, lines 28 to 37 in L.D.) and inserting in its place the following:

'§859. Remarriage after retirement

If a retiree who is the recipient of a reduced service retirement allowance under section 857 remarries after the retiree's spouse dies, the retiree may elect to have the reduced retirement benefit paid under the same option to the new spouse after the retiree's death instead of continuing the original reduced retirement allowance to the retiree during the retiree's lifetime, under the same basis as provided for members of the Maine State Retirement System by Title 5, section 17805.'

Further amend the bill by inserting after section 23 (page 5 in L.D.) the following:

'Sec. 24. 4 MRSA §1302, sub-§1, as amended by PL 1983, c. 863, Pt. B, §§19 and 45, is further amended to read:

1. Membership service. All judicial service of a member after November 30, 1984, and ~~prior to the member's 71st birthday,~~ for which contributions are made shall be allowed as creditable service.

Sec. 25. 4 MRSA §1303, sub-§1, as amended by PL 1983, c. 863, Pt. B, §§20 and 45, is further amended to read:

1 1. ~~Payment. For each member, who has not attained the age~~
2 ~~of 71,~~ the State shall pay annually into the fund an amount known
3 as the employer contribution.'

5 Further amend the bill in section 33 by striking out all of
6 that part designated "§1360." (page 7, lines 33 to 55 and page 8,
7 lines 2 to 19 in L.D.) and inserting in its place the following:

9 '§1360. Remarriage after retirement

11 If a retiree who is the recipient of a reduced regular
12 retirement allowance under section 1357, subsection 2, paragraph
13 B, C or D remarries after the retiree's spouse dies, the
14 following provisions apply.

15 1. Election of benefit for new spouse. The retiree may
16 elect to have the reduced retirement benefit paid under the same
17 option to the new spouse after the retiree's death instead of
18 continuing the original reduced retirement allowance to the
19 retiree during the retiree's lifetime, under the following
20 conditions:

21 A. The original spouse must have been the sole beneficiary
22 of the reduced retirement allowance under section 1357,
23 subsection 2, paragraph B, C or D; and

24 B. The retiree must have been married to the new spouse for
25 at least 6 months.

26 2. Time and manner of election. The retiree may make the
27 election at any time after the death of the original spouse and
28 remarriage to the new spouse by:

29 A. Sending a written request to the executive director; and

30 B. Submitting evidence of the death of the former spouse
31 and date of marriage to the new spouse.

32 3. Amount of benefit. The amount of the benefit payable
33 under the option elected shall be the actuarial equivalent, at
34 the date of the beginning of payment of benefits under this
35 section, of the amount of reduced retirement allowance the
36 retiree has been receiving.

37 4. Effective date of coverage of new spouse. The effective
38 date of the designation of the new spouse as the retiree's new
39 beneficiary shall be the date the request is received or 6 months
40 after the date of remarriage, whichever comes later. The
41 retiree's retirement allowance shall be adjusted on the first day
42 of the month following the effective date of the new designation
43 of beneficiary.'

1 Further amend the bill by renumbering the sections to read
consecutively.

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STATEMENT OF FACT

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This amendment accomplishes the following:

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11 1. Adds Vocational-Technical Institute System employees to
those persons who may continue to be members of the Maine State
13 Retirement System while on leave of absence to serve in the
Legislature;

15 2. Clarifies that the term "recipient" means the retiree
who is a recipient; and

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19 3. Eliminates the provision that members of the Maine
Judicial Retirement System who have reached 71 years of age may
not earn creditable service toward retirement benefits or receive
21 state contributions toward their retirement.

Reported by the Committee on Aging, Retirement and Veterans
Reproduced and distributed under the direction of the Clerk of the
House
4/24/89 (Filing No. H-99)