

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1848

H.P. 1331

House of Representatives, December 8, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 8, 1989. Referred to the Committee on Aging, Retirement and Veterans and 1600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HICKEY of Augusta.

Cosponsored by Senator CLARK of Cumberland, Representative JALBERT of Lisbon and Representative McSWEENEY of Old Orchard Beach.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act Relating to the Designation of Beneficiaries by Members of the
Maine State Retirement System.**



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

2
4 Sec. 1. 5 MRSA §17952, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

6 **§17952. Designated beneficiary**

8 A qualifying member may designate a beneficiary to receive benefits upon the qualifying member's death by filing a written designation of beneficiary with the executive director. The last designation of any beneficiary revokes all previous designations.

10 1. Designation of more than one beneficiary. A member may designate more than one person as a beneficiary subject to the following limitations.

12 A. If more than one person is designated as a beneficiary and:

14 (1) If one of the persons designated is eligible to receive benefits under section 17953, subsection 3 and the other persons designated are eligible to receive benefits under section 17953, subsection 4, there is no limit to the number of persons eligible to receive benefits under section 17953, subsection 4 who may be designated;

16 (2) If all of the persons designated are eligible to receive benefits under section 17953, subsection 4, there is no limit to the number of persons who may be designated; or

18 (3) If all of the persons designated are eligible to receive benefits under section 17953, subsection 5, no more than 2 persons may be designated.

20 B. If the person designated as a beneficiary is the member's spouse, that designation includes all of the member's dependent children so long as the person designated meets the definition of spouse in section 17001, subsection 39.

22 2. Limitations. If a member designates as beneficiaries 2 or more persons, all must meet the requirements of one, and only one, of the subparagraphs of subsection 1, paragraph A, otherwise their eligibility to receive a benefit under this article shall be limited to section 17953, subsection 1 or section 17954.

24 Sec. 2. 5 MRSA §17953, sub-§3, ¶E is enacted to read:

2 E. Only one beneficiary of a qualifying member shall be
entitled to receive the benefit under this subsection.

4 **Sec. 3. 5 MRSA §17953, sub-§5, ¶E** is enacted to read:

6 E. No more than 2 beneficiaries of a qualifying member may
be entitled to receive the benefit under this subsection.

8 **Sec. 4. 5 MRSA §17953, sub-§5-A, ¶E** is enacted to read:

10 E. Only one beneficiary of a qualifying member shall be
12 entitled to receive the benefit under this subsection.

14 **Sec. 5. 5 MRSA §18552**, as enacted by PL 1985, c. 801, §§5 and
16 7, is amended to read:

18 **§18552. Designated beneficiary**

20 A qualifying member may designate a beneficiary to receive
22 benefits upon the qualifying member's death by filing a written
24 designation of beneficiary with the executive director. The last
26 designation of any beneficiary revokes all previous designations.

28 **1. Designation of more than one beneficiary.** A member may
30 designate only one person as a beneficiary subject to the
32 following limitations.

34 **A. If more than one person is designated as a beneficiary**
36 **and:**

38 (1) If one of the persons designated is eligible to
40 receive benefits under section 18553, subsection 3 and
42 the other persons designated are eligible to receive
44 benefits under section 18553, subsection 4, there is no
46 limit to the number of persons eligible to receive
48 benefits under section 18553, subsection 4 who may be
50 designated;

(2) If all of the persons designated are eligible to
receive benefits under section 18553, subsection 4,
there is no limit to the number of persons who may be
designated; or

(3) If all of the persons designated are eligible to
receive benefits under section 18553, subsection 5, no
more than 2 persons may be designated.

B. If the person designated as a beneficiary is the
member's spouse, that designation includes all of the
member's dependent children so long as the person designated

2 meets the definition of spouse in section 17001, subsection
3 39.

4 2. Limitations. If a member designates as beneficiaries 2
5 or more persons, all must meet the requirements of one, and only
6 one, of the subparagraphs of subsection 1, paragraph A, otherwise
7 their eligibility to receive a benefit under this article shall
8 be limited to section 18553, subsection 1 or section 18554.

10 Sec. 6. 5 MRSA §18553, sub-§3, ¶E is enacted to read:

12 E. Only one beneficiary of a qualifying member shall be
13 entitled to receive the benefit under this subsection.

14 Sec. 7. 5 MRSA §18553, sub-§5, ¶E is enacted to read:

16 E. No more than 2 beneficiaries of a qualifying member may
17 be entitled to receive the benefit under this subsection.

20 Sec. 8. 5 MRSA §18553, sub-§5-A, ¶E is enacted to read:

22 E. Only one beneficiary of a qualifying member shall be
23 entitled to receive the benefit under this subsection.

26
28
30 **STATEMENT OF FACT**

32 This bill specifies the number of persons that may be
33 designated as beneficiaries of members of the Maine State
34 Retirement System with relation to each of the several types of
death benefits that may become payable to those beneficiaries.