

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1825

S.P. 723

In Senate, March 6, 1996

**An Act Regarding Survivor Benefits in the Event of Divorce and
Remarriage.**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator SMALL of Sagadahoc.

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

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Sec. 1. 5 MRSA §17805-A, as enacted by PL 1991, c. 320, §1, is amended by repealing and replacing the headnote to read:

§17805-A. Divorce

Sec. 2. 5 MRSA §17805-A, first ¶, as enacted by PL 1991, c. 320, §1, is amended to read:

If the recipient of a reduced service retirement benefit under section 17804, subsection 3, 4 or 5 is granted a divorce either after retirement or before a beneficiary is named the following provisions apply.

Sec. 3. 5 MRSA §18405-A, as enacted by PL 1991, c. 320, §2, is amended by repealing and replacing the headnote to read:

§18405-A. Divorce

Sec. 4. 5 MRSA §18405-A, first ¶, as enacted by PL 1991, c. 320, §2, is amended to read:

If the recipient of a reduced service retirement benefit under section 18404, subsection 3, 4 or 5 is granted a divorce either after retirement or before a beneficiary is named, the following provisions apply.

STATEMENT OF FACT

Under current law, a recipient of reduced retirement benefit who is divorced may change the beneficiary from the original spouse to someone else only if the divorce occurs after retirement. This bill permits a recipient to change the beneficiary from the original spouse to someone else even if the divorce occurred before the beneficiary was named.