

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

---

Legislative Document

No. 336

---

H.P. 272

House of Representatives, January 23, 1997

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

---

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MAYO of Bath.  
Cosponsored by Senator SMALL of Sagadahoc and  
Representatives: McALEVEY of Waterboro, SPEAR of Nobleboro.

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32

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

Sec. 1. 5 MRSA §17805-A, sub-§1, as amended by PL 1995, c. 604, §3, is repealed and the following enacted in its place:

1. Election of benefit for different beneficiary. The recipient may elect to have the reduced retirement benefit paid under the same option to a different beneficiary if the spouse or former spouse who was originally named as retirement beneficiary was the sole beneficiary of the reduced retirement benefit under section 17804, subsection 3, 4 or 5.

Sec. 2. 5 MRSA §18405-A, sub-§1, as amended by PL 1995, c. 604, §6, is repealed and the following enacted in its place:

1. Election of benefit for different beneficiary. The recipient may elect to have the reduced retirement benefit paid under the same option to a different beneficiary if the spouse or former spouse who was originally named as retirement beneficiary was the sole beneficiary of the reduced retirement benefit under section 18404, subsection 3, 4 or 5.

#### SUMMARY

This bill removes from the laws governing survivor benefits paid by the Maine State Retirement System the requirement that the spouse or former spouse who was originally named retirement beneficiary must agree to the change of beneficiary in the event of divorce. The bill allows a recipient of a reduced service retirement benefit to name a new beneficiary after a divorce without the permission of the spouse originally named retirement beneficiary.