MAINE STATE LEGISLATURE

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	L.D. 1226											
2	DATE: May 15, 1997 (Filing No. S- 238)											
4												
6	LABOR											
8	Reported by: Senator Cathcart											
10	Reproduced and distributed under the direction of the Secretary of the Senate.											
12	STATE OF MAINE											
14	SENATE 118TH LEGISLATURE											
16	FIRST SPECIAL SESSION											
18	CONNETTITIES AMENDMENTS II Å II A. C. D. 267 I D. 1226 D.111 III.											
20	COMMITTEE AMENDMENT "A" to S.P. 367, L.D. 1226, Bill, "An Act to Amend the Retirement System as it Pertains to Qualified Survivors"											
22	Amend the bill by striking out all of section 1 and											
24	inserting in its place the following:											
26	'Sec. 1. 5 MRSA $\S17852$, sub- $\S4$, \PA , as amended by PL 1993, c. 387, Pt. A, $\S11$, is further amended by enacting subparagraph (3)											
28	to read:											
30	(3) Notwithstanding subparagraph (2), the benefit to which a surviving spouse is entitled under subparagraph											
32	(2) may be awarded in whole or in part to another person or persons under a domestic relations order that											
34	is determined to be a qualified domestic relations											
36	order under section 17059 and, when so awarded, the benefit must be distributed in accordance with the qualified domestic relations order.											
38	Sec. 2. 5 MRSA §17852, sub-§5, ¶C is enacted to read:											
40												
42	C. Notwithstanding paragraph B, the benefit to which a surviving spouse is entitled under paragraph B may be awarded in whole or in part to another person or persons											
44	under a domestic relations order that is determined to be a qualified domestic relations order under section 17059 and,											
46	when so awarded, the benefit must be distributed in accordance with the qualified domestic relations order.											
48	Sec 3 5 MPSA 817852 sub-86 CC is chasted to read.											

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COMMITTEE AMENDMENT "A" to S.P. 367, L.D. 1226

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Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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14 SUMMARY

The bill proposed changes in the Maine State Retirement System laws to resolve a conflict between the provision in the law that defines "surviving spouse" for the purposes of distribution of survivor benefits on the death of certain state police officers and the provisions that govern distribution of those benefits under a qualified domestic relations order. The bill provided that, when affected by a qualified domestic relations order, the benefits that would otherwise go to a surviving spouse must be distributed in accordance with the qualified domestic relations order.

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This amendment replaces the language in section 1 of the bill to clarify the intent of the bill. The amendment also makes similar provisions for survivors of certain inland fisheries and wildlife officers and marine resources officers. With this amendment, all categories of members of the retirement system will be treated similarly with respect to the ability of qualified domestic relations orders to affect the distribution of post-retirement death benefits.

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