

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 290

H.P. 212

House of Representatives, January 14, 1999

An Act Regarding Survivor Benefits in the Event of Divorce.

Reference to the Committee on Judiciary 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 Representatives: BUCK of Yarmouth, McALEVEY of Waterboro, Senator:
SMALL of Sagadahoc.

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

4 **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604, §3, is repealed and the following enacted in its place:

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

12 **Sec. 2. 5 MRSA §18405-A, sub-§1,** as amended by PL 1995, c.
14 604, §6, is repealed and the following enacted in its place:

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

22
24 **SUMMARY**

26 Current law requires a recipient of reduced benefits under
27 the Maine State Retirement System who desires to change the
28 beneficiary of survivor benefits to obtain the agreement of the
29 member's spouse or former spouse in the event of divorce if that
30 person was originally named the beneficiary.

32 This bill repeals that requirement, allowing the recipient
33 to name a new beneficiary after a divorce without obtaining the
34 permission of the spouse originally named beneficiary.