

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1657

S.P. 622

In Senate, December 21, 2009

An Act Regarding Maine Public Employees Retirement System Life Insurance Policies

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator HOBBS of York.

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

2 **Sec. 1. 5 MRSA §18057**, as amended by PL 1991, c. 480, §5, is further amended
3 to read:

4 **§18057. Payments on death**

5 Any amount of group life insurance and group accidental death insurance in force on
6 any employee at the date of ~~his~~ the employee's death shall ~~shall~~ must be paid, upon the
7 establishment of a valid claim, in the following order of precedence.

8 **1. Designated beneficiary.** First, to the beneficiary or beneficiaries whom the
9 employee designated in writing, if the written designation was received in the retirement
10 system office or postmarked before the employee's death.

11 **1-A. Executor, personal representative or conservator.** Second, if there is no
12 beneficiary qualifying under subsection 1, to the employee's duly appointed executor,
13 personal representative or conservator for distribution according to the provisions of a
14 lawfully executed will.

15 **2. Widow or widower.** ~~Second~~ Third, if no beneficiary qualifies under subsection 1
16 and no duly appointed executor, personal representative or conservator qualifies under
17 subsection 1-A, to the widow or widower of the employee.

18 **3. Children.** ~~Third~~ Fourth, if no one qualifies under subsection 1, 1-A or 2, to the
19 child or children of the employee and descendants of deceased children by representation.

20 **4. Parents.** ~~Fourth~~ Fifth, if no one qualifies under subsection 1, 1-A, 2 or 3, to the
21 surviving parent or parents of the employee.

22 ~~**5. Executor or conservator.** Fifth, if no one qualifies under subsection 1, 2, 3 or 4,~~
23 ~~to the duly appointed executor or conservator or the estate of the employee.~~

24 **6. Next of kin.** Sixth, if no one qualifies under subsection 1, 1-A, 2, 3, or 4 ~~or 5~~, to
25 other next of kin of the employee entitled under the laws of domicile of that employee at
26 the time of ~~his~~ the employee's death.

27 **SUMMARY**

28 This bill amends the law governing the distribution of group life insurance and group
29 accidental death insurance benefits by the Maine Public Employees Retirement System to
30 state employees and teachers to require that the benefit be paid to the deceased's duly
31 appointed executor, personal representative or conservator for distribution according to
32 the provisions of a lawfully executed will if there is no qualifying beneficiary designated
33 at the time of the employee's death. The bill also makes technical changes to the law to
34 accommodate this revision in the order of precedence.