

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act Regarding Maine Public Employees Retirement System Life Insurance Policies**

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

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

### **§ 18057. Payments on death**

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

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

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

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

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

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

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

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

### **SUMMARY**

This bill amends the law governing the distribution of group life insurance and group accidental death insurance benefits by the Maine Public Employees Retirement System to state employees and teachers to require that the benefit be paid to the deceased's duly appointed executor, personal representative or

conservator for distribution according to the provisions of a lawfully executed will if there is no qualifying beneficiary designated at the time of the employee's death. The bill also makes technical changes to the law to accommodate this revision in the order of precedence.