

§18005. Adjustment of benefits

1. Beneficiaries becoming ineligible. When a person sharing benefits under section 18003 ceases to be eligible to receive benefits, the subsequent benefits of the remaining beneficiaries shall be recalculated as if the remaining beneficiaries had been the only beneficiaries to survive the qualifying member.

[PL 1985, c. 801, §§5, 7 (NEW).]

2. Workers' compensation or similar law. The amount payable under this article must be reduced by any amount received by the surviving spouse and dependent child or dependent children under former Title 39, the Workers' Compensation Act or Title 39-A, Part 1, the Maine Workers' Compensation Act of 1992, or a similar law. For purposes of this article, a death benefit paid to a law enforcement officer, firefighter or emergency medical services person under Title 25, chapter 195-A is not considered a benefit paid under a "similar law" and may not be used to reduce the amount payable under this article.

A. Lump-sum settlements of benefits that would reduce the accidental death benefits under this subsection must be prorated on a monthly basis in an equitable manner prescribed by the board. [PL 1991, c. 885, Pt. E, §12 (AMD); PL 1991, c. 885, Pt. E, §47 (AFF).]

B. The prorated lump-sum settlement amounts must reduce the accidental death benefits payable monthly under this article. [PL 1991, c. 885, Pt. E, §12 (AMD); PL 1991, c. 885, Pt. E, §47 (AFF).]

[PL 2001, c. 439, Pt. CCCCC, §2 (AMD).]

3. Cost-of-living adjustments. Benefits under this article are subject to adjustment as provided in section 17806.

[PL 1993, c. 595, §9 (NEW).]

SECTION HISTORY

PL 1985, c. 801, §§5,7 (NEW). PL 1991, c. 885, §E12 (AMD). PL 1991, c. 885, §E47 (AFF). PL 1993, c. 595, §9 (AMD). PL 2001, c. 439, §CCCCC2 (AMD).

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