

A BILL FOR AN ACT

To further amend title 53 of the Code of the Federated States of Micronesia, as amended, by amending section 806 to change entitlements regarding the surviving spouse benefit and other benefits, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 806 of title 53 of the Code of the
2 Federated States of Micronesia is hereby amended to read as
3 follows:

4 "Section 806. Amount of survivor insurance benefits.

5 (1) The surviving spouse of a fully insured
6 worker eligible in accordance with section 802 of this
7 chapter shall be paid a monthly benefit or disability
8 in an amount equal to 60 percent of the retirement or
9 disability insurance benefit calculated for the
10 deceased spouse at the date of death.

11 (2) Each eligible child of an insured worker
12 shall be entitled to a monthly benefit of 15 percent of
13 the retirement insurance benefit calculated for the
14 deceased parent at the date of death.

15 ~~[(3) If the spouse of the deceased insured worker~~
16 ~~is eligible for retirement or disability benefits based~~
17 ~~on his or her own employment coverage, and is also~~
18 ~~eligible for survivors' benefits, the spouse shall~~
19 ~~receive whatever benefit pays the largest monthly~~

1 ~~payment.]~~

2 ~~[-(4)]~~ (3) The total survivors' benefit paid to the
3 spouse and children may not exceed the retirement
4 benefit calculated for the decedent as of the date of
5 death, except that ~~[if the surviving spouse receives~~
6 ~~benefits based on his or her own employment coverage,~~
7 ~~that amount plus the survivors' benefits for the~~
8 ~~children may exceed the amount of the deceased's~~
9 ~~retirement benefit.—I]~~ in no event shall the amount
10 paid be less than the minimum established by the Social
11 Security Administration, as set out in section 804 of
12 title 53 of the Code of the Federated States of
13 Micronesia.

14 (4) Nothing in this section is intended to affect
15 a surviving spouse's entitlement to be paid retirement
16 or disability benefits based on his or her own
17 employment coverage."

18 Section 2. This act shall become law upon approval by the
19 President of the Federated States of Micronesia or upon its
20 becoming law without such approval.

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23 Date: 11/05/04

Introduced: /s/ Ramon Peyal

Ramon Peyal

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