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:

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- 4 "Section 806. <u>Amount of survivor insurance benefits</u>.
- (1) The surviving spouse of a fully insured worker
 eligible in accordance with section 802 of this chapter
 shall be paid a monthly benefit or disability in an
 amount equal to 60 percent of the retirement or
 disability insurance benefit calculated for the deceased
 spouse at the date of death.
 - (2) Each eligible child of an insured worker shall be entitled to a monthly benefit of 15 percent of the retirement insurance benefit calculated for the deceased parent at the date of death.
 - [(3) If the spouse of the deceased insured worker is eligible for retirement or disability benefits based on his or her own employment coverage, and is also eligible for survivors' benefits, the spouse shall receive whatever benefit pays the largest monthly payment.]
- 20 $\left[\frac{(4)}{(3)}\right]$ The total survivors' benefit paid to the spouse

| 1 | and | |
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| 2 | | children may not exceed the retirement benefit |
| 3 | | calculated for the decedent as of the date of death, |
| 4 | | except that [if the surviving spouse receives benefits |
| 5 | | based on his or her own employment coverage, that amount |
| 6 | | plus the survivors' benefits for the children may exceed |
| 7 | | the amount of the deceased's retirement benefit. I] in |
| 8 | | no event shall the amount paid be less than the minimum |
| 9 | | established by the Social Security Administration, as |
| 10 | | set out in section 804 [of this chapter] of title 53 of |
| 11 | | the Code of the Federated States of Micronesia. |
| 12 | | (4) Nothing in this section is intended to affect a |
| 13 | | surviving spouse's entitlement to be paid retirement or |
| 14 | | disability benefits based on his or her own |
| 15 | | contributions. A surviving spouse who is eligible to |
| 16 | | receive benefits under subsection (1) of this section |
| 17 | | and who is also eligible to receive another benefit in |
| 18 | | their own right, shall be entitled to receive both |
| 19 | | benefits." |
| 20 | Section 2. This act shall become law upon approval by the | |
| 21 | President | of the Federated States of Micronesia or upon its |
| 22 | becoming | law without such approval. |
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| 24 | Date: <u>5/1</u> | |
| 25 | | Ramon Peyal |

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