

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8350. Benefits: Survivor Annuities for Class I Members.

Upon death of a class I member while in service having completed at least 18 months of membership service, or death of a class I member who is in a receipt of a disability or retirement annuity, survivor's benefits shall be payable:

(a) If a spouse and children survive, spouse and children's annuities shall begin as of the date of death of the member, and shall continue until such minor children attain the age of 18 years, or 22 years if they are full-time students, are married, or die. Spousal benefits discontinued by virtue of these provisions shall be reinstated upon the spouse attaining age 35. The spouse shall be eligible for the cost of living increase of two percent per annum upon attaining age 62, commencing on the anniversary of the spouse's annuity date, calculated utilizing simple interest. Spousal benefits shall discontinue upon a spouse's remarriage or death.

(b) If a minor child or children survive the member, and no parent or child is living, an annuity shall begin immediately upon the death of the member and continue until the child reaches 18 years of age, is married or dies.

(c) If a spouse survives the member, and there are no minor children, spousal benefits will commence upon the spouse attaining age 35. The spouse shall be eligible for the cost of living increase upon attaining age 55, commencing on January 1 subsequent to the anniversary of the spouse's annuity date. Spousal benefits shall discontinue upon a spouse's remarriage or death.

(d) Payment of spousal and children's annuities shall be continued until the child reaches 22 years of age, provided such child or children are full-time students in an accredited college, university or educational institution.

(e) If any minor child or children is disabled, spousal and the child or children's annuities shall continue until such child or children's death or loss of disability. This section shall apply only where the child has been examined by two licensed physicians, approved by the board, prior to attaining age 18 and has been found in a report submitted to the board to be permanently and totally disabled. The board may request further examinations and reports in its discretion.

(f) Notwithstanding other provisions of this part, the surviving spouse or any person who:

(1) Was hired by the government of the Commonwealth of the Northern Mariana Islands after October 1, 1980, but before May 7, 1989;

(2) Was 60 years of age or older on such hire date; and

(3) Accumulated 20 or more years of service rendered in the Commonwealth of the Northern Mariana Islands to the government of the Trust Territory of the Pacific Islands and the Commonwealth of the Northern Mariana Islands, shall be eligible for surviving spouse benefits under 1 CMC § 8351.

Source: PL 6-17, ch. 3, § 83310, modified; amended by PL 6-41, §§ 8, modified, and 9; PL 8-31, § 9; amended by PL 13-60, § 4.

Commission Comment: PL 13-60 was enacted on December 5, 2003 and contained, in addition to other enactments, a short title, findings and purpose, severability, and savings clause provisions. See the comment to 1 CMC § 8253 regarding PL 13-60.