

# LEGAL SERVICES

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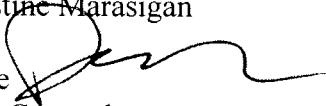
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 10, 2011

**SUBJECT:** Sectional Summary of SB 38 (Work Order No. 27-LS0371\A)

**TO:** Senator Kevin Meyer  
Attn: Christine Marasigan

**FROM:** Dan Wayne   
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Describes when payment of the one-time \$100,000 occupational death benefit established in Sec. 2 of the draft bill would be made, and provides that the payment may not be made to anyone but a surviving spouse or a dependent child of a peace officer or firefighter who was a member of the *defined benefit* retirement plan of the Public Employees' Retirement System.

Sec. 2. Establishes a \$100,000 one-time occupational death benefit in the *defined benefit* retirement plan of the Public Employees' Retirement System. The benefit would be payable to the surviving spouse or, if there is no surviving spouse who is eligible to receive payment, to the dependent children, of a peace officer or firefighter whose death is an occupational death under AS 39.35.430. The benefit would be in addition to other occupational benefits for which the surviving spouse or dependent children may be eligible. A surviving spouse or dependent child whose action was a substantial cause of the death would be ineligible.

Sec. 3. Exempts the \$100,000 one-time occupational death benefit from post-retirement pension adjustment under AS 39.35.475.

Sec. 4. Describes when payment of the one-time \$100,000 occupational death benefit established in Sec. 5 of the draft bill would be made, and provides that the payment may not be made to anyone but a surviving spouse or a dependent child of a peace officer or firefighter who was a member of the *defined contribution* retirement plan of the Public Employees' Retirement System.

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Sec. 5. Establishes a \$100,000 one-time occupational death benefit in the *defined contribution* retirement plan of the Public Employees' Retirement System. The benefit would be payable to the surviving spouse or, if there is no surviving spouse who is eligible to receive payment, to the dependent children, of a peace officer or firefighter whose death is an occupational death under AS 39.35.892. The benefit would be in addition to other occupational benefits for which the surviving spouse or dependent children may be eligible. A surviving spouse or dependent child whose action was a substantial cause of the death would be ineligible.

DCW:plm

11-075.plm