

# 30<sup>th</sup> Alaska State Legislature

Judiciary Committee  
Chairman  
Resources Committee  
State Affairs Committee  
Education Committee  
Select Committee on Legislative  
Ethics  
Joint Armed Services Committee



Session Address:  
State Capitol, Room 119  
Juneau, AK 99801-1182  
(907) 465-3719  
Fax (907) 465-3258

Interim Address:  
1292 Sadler Way, Suite 340  
Fairbanks, AK 99701  
(907) 451-2997  
Fax (907) 451-3526  
877-465-3719

[www.aksenate.org](http://www.aksenate.org)

**Senator John Coghill**

## **SENATE BILL 48**

### **SECTIONAL ANALYSIS**

Insurance for Dependents of Deceased Fire/Police  
Version U

#### **Section 1**

*Sec. 39.60.010 – Peace Officer and Firefighter Survivors’ Fund.*

The peace officer and firefighter survivors’ fund is established for the purpose of paying major medical insurance premiums for an eligible surviving spouse or dependent child of a peace officer or firefighter.

The Department of Public Safety shall create two separate accounts within the fund: a state employee account and a municipal employee account. The accounts can consist of legislative appropriations, private donations, and municipal contributions.

*Sec. 39.60.020 – Powers and duties of the commissioner.*

Annually, the Commissioner of the Department of Public Safety shall determine the amount of money necessary to pay premiums to eligible surviving dependents.

*Sec. 39.60.030 – Payment authorized.*

The Commissioner of the Department of Public Safety may use money in the fund to pay major medical insurance premiums for eligible surviving dependents.

*Sec. 39.60.040 – Eligibility of surviving dependents of peace officers and firefighters for medical insurance premiums.*

Within the first 30 days following a death, the surviving dependent is presumed eligible for the benefit. A surviving dependent may apply to the

commissioner for payment of major medical insurance premiums. The commissioner will make a determination of eligibility within 30 days of receiving the application. Annually, the commissioner shall determine continued eligibility.

A surviving dependent is eligible if:

- At the time of death, the peace officer or firefighter was a year-round, permanent full-time employee of the state or municipality that has opted into this fund;
- At the time of death, the surviving dependent was receiving employer-sponsored medical insurance benefits;
- The proximate cause of the employee's death is a bodily injury sustained or a hazard undergone while in the performance and within the scope of the employee's duties; and
- The injury or hazard is not the proximate result of willful negligence by the employee.

A surviving spouse becomes permanently ineligible by becoming eligible to receive commensurate insurance coverage by other means, having received the benefit for 10 years, or reaching 65 years of age – whichever comes first.

A surviving dependent child becomes permanently ineligible by becoming eligible to receive major medical insurance coverage by other means, or reaching 26 years of age – whichever comes first.

The commissioner shall pay the premium for the level of major medical insurance coverage existing at the time of death, beginning the first month following the date the dependent applied to the fund. Payment of premiums will be made directly to the medical insurance provider.

*Sec. 39.60.050 – Municipal election to participate in peace officer and firefighter survivors' fund.*

A municipality may elect to participate in the fund. The commissioner shall determine the amount and frequency of the municipality's required contributions to the fund, based on the anticipated cost. A surviving dependent is not eligible for payments unless the municipality opts into the fund.

*Sec. 39.60.060 – Eligibility of municipal peace officers and firefighters.*

A surviving dependent of a peace officer or firefighter who was employed by a municipality may be eligible for payment if the municipality elects to participate in the fund.

*Sec. 39.60.070 – Terms of agreement by municipality to participate in fund.*

An agreement between the commissioner and a municipality must include a requirement that the municipality contribute to the fund as needed, be current with contributions, and comply with all other rules and regulations.

*Sec. 39.60.190 – Definitions.*

Definitions for “child”, “commissioner”, “department”, “dependent”, “firefighter”, “fund”, “peace officer”, and “surviving spouse”.

**Section 2**

*AS 44.41.020 – Powers and duties of department (new subsection)*

The Department of Public Safety shall manage and administer the fund in cooperation with the Department of Administration.

**Section 3**

*Uncodified law*

The commissioner of public safety may adopt regulations necessary to implement secs. 1 and 2 of this Act. The regulations take effect under the Administrative Procedure Act, but not before the effective date of sections 1 and 2.

**Section 4**

*Effective date*

Section 3 takes effect immediately.

**Section 5**

*Effective date*

Sections 1 and 2 take effect July 1, 2017.