

**HOUSE BILL NO. 84**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES MILLETT, Tuck**

**Introduced: 1/18/11**

**Referred: Labor and Commerce, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act establishing a one-time occupational death benefit for peace officers and**  
2 **firefighters."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 39.35.430(c) is amended to read:

5 (c) The one-time payment of \$100,000 provided for in (i) of this section  
6 and the first payment of the surviving spouse's pension or of a dependent child's  
7 pension shall be made for the month following the month in which the employee dies;  
8 however, a one-time payment and a \$100,000 or pension payment may not [AND  
9 PAYMENT SHALL CEASE TO] be made for a [BEGINNING WITH THE] month  
10 in which there is neither a [NO] surviving spouse nor a [OR NO] dependent child.

11 **\* Sec. 2.** AS 39.35.430 is amended by adding a new subsection to read:

12 (i) A spouse who is paid a monthly survivor's pension under (b) of this section  
13 shall also be paid a one-time payment of \$100,000 if the employee was a peace officer  
14 or firefighter. If there is no spouse or if the spouse dies before the month following the

1 month in which the employee dies, the one-time payment of \$100,000 shall be paid in  
2 equal parts to the dependent children of the employee. Notwithstanding another  
3 provision of this section, a person who is the surviving spouse or a surviving  
4 dependent child of a peace officer or firefighter and who committed an act that was a  
5 substantial cause of the peace officer's or firefighter's death is ineligible to receive any  
6 portion of the one-time payment of \$100,000 provided for under this subsection.

7 \* **Sec. 3.** AS 39.35.475(e) is amended to read:

8 (e) When computing an occupational death benefit under AS 39.35.430 or  
9 39.35.440 or a survivor's benefit under AS 39.35.450, adjustments granted to the  
10 deceased member or survivor under this section shall be included. **A one-time**  
11 **payment of \$100,000 under AS 39.35.430 is not subject to this requirement.**

12 \* **Sec. 4.** AS 39.35.892(b) is amended to read:

13 (b) The **one-time payment of \$100,000 provided for in (f) of this section**  
14 **and the** first payment of the surviving spouse's pension or of a dependent child's  
15 pension shall be made for the month following the month in which the employee dies;  
16 **however, a one-time payment of \$100,000 may not be made if, in that month,**  
17 **there is neither a surviving spouse nor a dependent child. Pension payments [.**  
18 **PAYMENTS]** shall cease on the last day of the month in which there is no longer an  
19 eligible spouse or eligible dependent child, or the last day of the month following the  
20 earliest date the employee would have first qualified for normal retirement if the  
21 employee had survived, whichever day is sooner.

22 \* **Sec. 5.** AS 39.35.892 is amended by adding a new subsection to read:

23 (f) A spouse who is paid a monthly survivor's pension under (a) of this section  
24 shall also be paid a one-time payment of \$100,000 if the employee was a peace officer  
25 or firefighter. If there is no spouse or if the spouse dies before the month following the  
26 month in which the employee dies, the one-time payment of \$100,000 shall be paid in  
27 equal parts to the dependent children of the employee. Notwithstanding another  
28 provision of this section, a person who is the surviving spouse or a surviving  
29 dependent child of a peace officer or firefighter and who committed an act that was a  
30 substantial cause of the peace officer's or firefighter's death is ineligible to receive any  
31 portion of the one-time payment of \$100,000 provided for in this subsection.