

HOUSE BILL NO. 151

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

BY REPRESENTATIVES DICK, Kawasaki

Introduced: 2/9/11

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to occupational death benefits for peace officers and firefighters under**
2 **the Public Employees' Retirement System of Alaska; and providing for an effective**
3 **date."**

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

5 *** Section 1.** AS 39.35.430 is amended by adding a new subsection to read:

6 (i) A person who was married for less than one year to a peace officer or
7 firefighter who died on or after January 1, 1961, and before January 1, 1976, and who
8 would have been eligible to receive a benefit under this section at the time the peace
9 officer or firefighter died if the marriage had been one year or more in duration is a
10 surviving spouse of a peace officer or firefighter and, regardless of previous or
11 ongoing payment of a benefit to a dependent child of the employee and
12 notwithstanding (f) of this section, shall receive a monthly survivor's pension under
13 this section. A dependent child's eligibility for a benefit under this section may not be
14 terminated or impaired because of a payment under this subsection.

1 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 **APPLICABILITY.** Benefits under this Act may not be made retroactive to a date that
4 precedes the effective date of sec. 1 of this Act.

5 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 **TRANSITION.** Notwithstanding AS 39.35.430(c), the first payment of a surviving
8 spouse's pension under sec. 1 of this Act shall be for the month of July 2011. The
9 commissioner of administration shall cause the amount of the pension to be determined
10 according to AS 39.35.340(g), 39.35.430, and 39.35.475. The annual increase under
11 AS 39.35.475 shall be calculated from the year the peace officer or firefighter died.

12 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 **TRANSITION: REGULATIONS.** The commissioner of administration shall adopt
15 regulations consistent with this Act, but in no event may the regulations take effect before the
16 effective date of sec. 1 of this Act.

17 * **Sec. 5.** Section 4 of this Act takes effect immediately under AS 01.10.070(c).

18 * **Sec. 6.** Except as provided in sec. 5 of this Act, this Act takes effect July 1, 2011.