

HB

480



Alaska State Legislature

- Interim (May-Dec) -
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- Session (Jan-May) -
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REPRESENTATIVE FRED DYSON

HB 480 Sponsor Statement

"An Act relating Survivor Benefits"

Updated: February 23, 2002

Contact: Representative Fred Dyson's office at (907) 465-2199

We have State of Alaska employees who are at varying levels of risk of assault because of the very nature of their work. Family case workers, investigators, building inspectors, and others, have responsibilities that cause some citizens to have misdirected anger and resentment.

Our state laws have given occupational death benefits to the families of state employees who are killed while in the performance and within the scope of their duties. However, in situations where a state employee is killed off their job site, but because of their work, the law provides less coverage (with non-occupational death benefits).

HB 480 corrects this oversight by providing occupational death benefits for the families of these state employees.

- E-mail -
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Sec. 39.35.430. Occupational death benefit.

(a) [Repealed, Sec. 16 ch 123 SLA 1976].

(b) If (1) the death of an employee occurs before the employee's retirement and before the employee's normal retirement date, and (2) the proximate cause of death is a bodily injury sustained or a hazard undergone while in the performance and within the scope of the employee's duties, and (3) the injury or hazard is not the proximate result of wilful negligence of the employee, a monthly survivor's pension equal to 40 percent of the employee's monthly compensation in the month in which the employee dies shall be paid to the surviving spouse. If there is no surviving spouse or if the spouse later dies, the monthly survivor's pension shall be paid in equal parts to the dependent children of the employee. On the date the normal retirement of the employee would have occurred if the employee had lived, monthly payments shall equal the monthly amount of the normal retirement benefit to which the employee, had the employee lived and continued employment until the employee's normal retirement date, would have been entitled with an average monthly compensation as existed at death and the credited service to which the employee would have been entitled.

(c) The first payment of the surviving spouse's pension or of a dependent child's pension shall be made for the month following the month in which the employee dies and payment shall cease to be made beginning with the month in which there is no surviving spouse or no dependent child.

(d) [Repealed, Sec. 19 ch 123 SLA 1976].

(e) [Repealed, Sec. 19 ch 123 SLA 1976].

(f) If the death of an employee occurs from occupational causes but no surviving spouse or dependent children exist at the time of the death or if the employee designates as beneficiary under AS 39.35.490 someone other than the surviving spouse or dependent children, the employee's designated beneficiary is entitled to receive those benefits available to a beneficiary under AS 39.35.420 (c) and an occupational death benefit may not be paid to the surviving spouse or dependent children.

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB480
 () Publish Date: _____

Revision Date/Time _____ Dept. Affected: Administration
 Title "An Act providing the death of state employee killed because of their job be occupational for pension purposes" BRU Centralized Administrative Services
 Component Retirement & Benefits
 Sponsor Rep Dyson
 Requester House State Affairs Component No. 64

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation allows the retirement system to pay an occupational death benefit to the survivor of an employee whose death was caused by an act of assault, assassination or terrorism directly related to the employee's status as a state employee - whether or not the death was on the job.

This legislation will have no impact on the retirement system.

Prepared by: Guy Bell Phone 465-2292
 Division Retirement & Benefits Date/Time March 4, 2002
 Approved by: Jim Duncan, Commissioner Date 3/4/2002
 Agency Department of Administration



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REPRESENTATIVE FRED DYSON

MEMORANDUM

February 26, 2002

To: Representative Coghill Chair
State Affairs

From: Fred Dyson
State Representative

A handwritten signature in cursive that reads "Fred Dyson" with a circled "will" underneath.

RE: Request for consideration of HB 480

I respectfully request that you schedule HB 480 at your convenience.

Thank you.

- E-mail -
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