

2 **SB 5217** - H COMM AMD **ADOPTED 2-27-98**
3 By Committee on Appropriations

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 41.24.160 and 1996 c 57 s 2 are each amended to read
8 as follows:

9 (1) Whenever a fire fighter, or a reserve officer provided a
10 benefit under this section, dies as the result of injuries received, or
11 sickness contracted in consequence or as the result of the performance
12 of his or her duties, the board of trustees shall order and direct the
13 payment of the sum of (~~two~~) one hundred fifty-two thousand dollars to
14 his widow or her widower, or if there is no widow or widower, then to
15 his or her dependent child or children, or if there is no dependent
16 child or children, then to his or her parents or either of them, and
17 the sum of one thousand two hundred seventy-five dollars per month to
18 his widow or her widower during his or her life together with the
19 additional monthly sum of one hundred ten dollars for each child of the
20 member, unemancipated or under eighteen years of age, dependent upon
21 the member for support at the time of his or her death, to a maximum
22 total of two thousand five hundred fifty dollars per month.

23 (2) If the widow or widower does not have legal custody of one or
24 more dependent children of the deceased fire fighter or if, after the
25 death of the fire fighter, legal custody of such child or children
26 passes from the widow or widower to another person, any payment on
27 account of such child or children not in the legal custody of the widow
28 or widower shall be made to the person or persons having legal custody
29 of such child or children. Such payments on account of such child or
30 children shall be subtracted from the amount to which such widow or
31 widower would have been entitled had such widow or widower had legal
32 custody of all the children and the widow or widower shall receive the
33 remainder after such payments on account of such child or children have
34 been subtracted. If there is no widow or widower, or the widow or
35 widower dies while there are children, unemancipated or under eighteen
36 years of age, then the amount of eight hundred twenty-five dollars per

1 month shall be paid for the youngest or only child together with an
2 additional seventy dollars per month for each additional of such
3 children to a maximum of one thousand six hundred fifty dollars per
4 month until they become emancipated or reach the age of eighteen years;
5 and if there are no widow or widower, child, or children entitled
6 thereto, then to his or her parents or either of them the sum of eight
7 hundred twenty-five dollars per month for life, if it is proved to the
8 satisfaction of the board that the parents, or either of them, were
9 dependent on the deceased for their support at the time of his or her
10 death. In any instance in subsections (1) and (2) of this section, if
11 the widow or widower, child or children, or the parents, or either of
12 them, marries while receiving such pension the person so marrying shall
13 thereafter receive no further pension from the fund.

14 (3) In the case provided for in this section, the monthly payment
15 provided may be converted in whole or in part into a lump sum payment,
16 not in any case to exceed twelve thousand dollars, equal or
17 proportionate, as the case may be, to the actuarial equivalent of the
18 monthly payment in which event the monthly payments shall cease in
19 whole or in part accordingly or proportionately. Such conversion may
20 be made either upon written application to the state board and shall
21 rest in the discretion of the state board; or the state board is
22 authorized to make, and authority is hereby given it to make, on its
23 own motion, lump sum payments, equal or proportionate, as the case may
24 be, to the value of the annuity then remaining in full satisfaction of
25 claims due to dependents. Within the rule aforesaid the amount and
26 value of the lump sum payment may be agreed upon between the applicant
27 and the state board. Any person receiving a monthly payment under this
28 section on June 29, 1961, may elect, within two years, to convert such
29 payments into a lump sum payment as provided in this section.

30 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the
32 state government and its existing public institutions, and takes effect
33 immediately."

34 Correct the title.

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