

# HOUSE BILL REPORT

## HB 1824

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**As Reported by House Committee On:**  
Appropriations

**Title:** An act relating to benefits for the survivors of certain firefighters.

**Brief Description:** Allowing the survivors of certain firefighters to remarry without a loss of benefits.

**Sponsors:** Representatives Chase, O'Brien, Simpson, Williams and Ormsby.

**Brief History:**

**Committee Activity:**

Appropriations: 2/8/07, 2/12/07 [DP].

**Brief Summary of Bill**

- Removes the cessation of benefits upon remarriage for surviving spouses of members of the Firemen's Relief and Pensions–1955 Act.

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 31 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Cody, Conway, Darneille, Dunn, Ericks, Fromhold, Grant, Haigh, Hunt, Kagi, Kenney, Kessler, Kretz, Linville, McDermott, McDonald, McIntire, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist, P. Sullivan and Walsh.

**Staff:** David Pringle (786-7310).

**Background:**

The Firemen's Relief and Pensions System–1955 Act (FRPS) covered firefighters prior to the establishment of the statewide Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) in 1970. It is administered in part by firemen's pension boards in each fire protection district. It is commonly referred to as the Fireman's "prior act," and unlike the LEOFF, the benefits are not supported by a state fund. Each municipality that has members

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of the FRPS instead has a separate pension fund that supports the benefits owed to members and beneficiaries from that municipality. These funds are supported by revenue from 25 percent of the 2 percent state tax on fire insurance policies, and up to 45 cents per \$1,000 of assessed value from municipalities' property tax levies.

Members and the beneficiaries of members who left service after 1970 are generally entitled to the better of the benefits that were offered either by the FRPS or the LEOFF Plan 1; however, members who left service prior to the creation of the LEOFF Plan 1 in 1970 are entitled to benefits only from the FRPS.

The surviving spouses of members of the FRPS who were killed in the line of duty are entitled to a benefit equal to 50 percent of the deceased member's basic salary at time of death. The surviving spouse of a member who left service due to duty-related disability is equal to the monthly pension the member was receiving at the time of the member's death. The surviving spouse of a member who died as a result of a non duty-related disability is equal to one-third of the basic salary the member was receiving at the time of the member's death, plus additional amounts for dependent children.

In all three cases of members of the FRPS killed in the line of duty or disabled from further duty, the benefits to the surviving spouse cease if the surviving spouse remarries.

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**Summary of Bill:**

The line-of-duty death and disability benefits paid to the surviving spouses of members of the FRPS do not cease upon the remarriage of the surviving spouse.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 5, 2007.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) There are only 56 or so surviving spouses in the prior act system. These surviving beneficiaries—ladies—are faced with either losing benefits or living in sin. This is a tough decision for some of these older members. The bill is pretty narrow in scope, affecting only a small number of elderly survivors. Seattle does not now count on some of these benefits being terminated in their budget projections for the prior act benefits costs, so this bill doesn't change the financial picture for the plan. Only a small portion of the taxes collected for the plan are still being used for the purpose of supporting the plan benefits today.

(Opposed) None.

**Persons Testifying:** Representative Chase, prime sponsor; and Dick Warbrouck, Retired Fire Fighters of Washington.

**Persons Signed In To Testify But Not Testifying:** None.