

# HOUSE BILL REPORT

## SB 5217

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### As Reported By House Committee On: Appropriations

**Title:** An act relating to death benefits in the volunteer fire fighters' relief and pension system.

**Brief Description:** Providing death benefits for volunteer fire fighters.

**Sponsors:** Senators Bauer, Winsley, Franklin, Long, Fraser, Roach, Loveland, Rasmussen, Goings, Swecker, Kohl, Oke, Patterson and Haugen; by request of Joint Committee on Pension Policy.

**Brief History:**

**Committee Activity:**

Appropriations: 2/19/98 [DPA].

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended. Signed by 29 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Chopp; Cody; Cooke; Crouse; Grant; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; Mastin; McMorris; Parlette; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

**Staff:** Denise Graham (786-7137).

**Background:** Volunteer fire fighters receive retirement, disability and death benefits under the Volunteer Fire Fighters' Relief and Pension Act. The death benefits received by the survivors of a volunteer fire fighter who dies as a result of injuries received in the line of duty are as follows: (1) a lump sum payment of \$2,000; and (2) a monthly payment of \$1,275 for life to the spouse and additional payment of \$110 for each dependent child. The total monthly payments cannot exceed \$2,550.

Benefits under the volunteer fire fighters' pension system are paid from the Volunteer Fire Fighters' Relief and Pension Fund. The primary funding source is 40 percent of the receipts from the state fire insurance premiums tax. In addition, volunteer fire fighters and municipalities each pay \$30 each year if they elect to participate in the retirement provisions of the act.

Municipalities can choose to cover reserve law enforcement officers under the Volunteer Fire Fighters' Relief and Pension Act, but the only benefits the reserve officers can receive under those provisions are retirement benefits. Municipalities and reserve officers electing to receive retirement benefits under the volunteer fire fighters' pension system pay an annual fee to cover the cost of the benefits. Under current law, reserve officers do not receive death or disability benefits under this system. Legislation currently pending before the Legislature (Substitute House Bill 1939) would give local governments the choice of providing death and disability coverage to reserve officers under the Volunteer Fire Fighters' Relief and Pension Act. Under this legislation, the costs of the benefits would be paid by the local governments electing to provide coverage under the chapter.

The federal government provides a \$135,000 duty-death benefit to public safety officers, which include volunteer fire fighters and reserve officers, as well as full-time fire fighters and law enforcement officers.

In 1996, legislation was passed which provides a \$150,000 duty-related death benefit to survivors of police and fire fighters covered under the Law Enforcement Officers' and Fire Fighter's Retirement System and to members of the Washington State Patrol retirement system. The legislation also directed the Joint Committee on Pension Policy (JCPP) to study the issue of providing a similar death benefit to volunteer fire fighters and reserve law enforcement officers. The JCPP recommended that a \$150,000 duty-related death benefit be extended to survivors of volunteer fire fighters and reserve police officers.

**Summary of Amended Bill:** The amended bill assumes that legislation is enacted to give local governments the option of providing death and disability coverage through the Volunteer Fire Fighters' Relief and Pension Act. The death benefit provided to volunteer fire fighters and reserve officers covered under the Volunteer Fire Fighters' Relief and Pension Act is \$152,000, and the benefit is paid from the Volunteer Fire Fighters' Relief and Pension Fund.

**Amended Bill Compared to Original Bill:** The original bill paid the reserve officer death benefit from the state general fund. The amended bill assumes that legislation is enacted authorizing coverage of reserve officers under the Volunteer Fire Fighters' Relief and Pension Act, and that the death benefit could therefore be paid from the Volunteer Fire Fighters' Relief and Pension fund.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** Volunteer fire fighters and reserve officers face the same risk as their paid counterparts, and reflect the highest ideal of volunteerism. They too face the ultimate risk by putting their lives on the line. There is a need to protect their families from tragedy in the same way the families of their paid counterparts are protected.

**Testimony Against:** None.

**Testified:** Kurt Cooper, Naches Volunteer Fire Department; Harold Fray, Washington State Firefighters' Association; and Duane Malo, Washington State Association of Fire Chiefs.