

**MINUTES OF THE  
HOUSE RETIREMENT AND INDEPENDENT ENTITIES STANDING COMMITTEE  
Room 20, House Building  
February 20, 2015**

**Members Present:** Rep. Kraig Powell, Chair  
Rep. Rich Cunningham, Vice Chair  
Rep. Sophia DiCaro  
Rep. Susan Duckworth  
Rep. Brad Last  
Rep. Justin Miller  
Rep. Marie Poulson  
Rep. John Westwood

**Members Absent:** Rep. Steve Eliason

**Staff Present:** Mr. Benjamin N. Christensen, Policy Analyst  
Ms. Kathy Gessel, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Vice Chair Cunningham called the meeting to order at 12:38 p.m.

**MOTION:** Rep. Duckworth moved to approve the minutes of the February 13, 2015 meeting. The motion passed unanimously with Rep. Last absent for the vote.

**H.B. 115      Public Safety Retirement for Dispatchers (*Rep. K. Powell*)**

Rep. Powell explained the bill to the committee.

Spoke to the bill:      Dee Larsen, Legal Council, Utah Retirement Systems

Spoke for the bill:      Jeff Winterton, Wasatch County Sheriff's Office  
Vaughn Howard, Fraternal Order of Police  
Donna Walters, Bountiful Police Department  
Karl Kuehn, Layton Police Department  
Kimi Mayo, citizen  
Terry Shaw, Valley Emergency Communications Center  
Melanie Crittenden, Summit County Sheriff's Office

**MOTION:** Rep. Westwood moved to pass the bill out favorably. The motion passed unanimously with Rep. Last absent for the vote.

**S.B. 41      Utah Science Center Authority Amendments (*Sen. T. Weiler*)**

Sen. Weiler explained the bill to the committee.

**MOTION:** Rep. Poulson moved to pass the bill out favorably. The motion passed unanimously with Rep. Last absent for the vote.

**MOTION:** Rep. Miller moved to place S.B. 41 on the Consent Calendar. The motion passed unanimously.

**H.B. 288 Line-of-duty Death Benefits for Peace Officers and Firefighters (Rep. P. Ray)**

Rep. Ray explained the bill to the committee.

Spoke to the bill: Dee Larsen, Legal Council, Utah Retirement Systems

Spoke for the bill: Nanette Wride, citizen  
Shante Johnson, citizen  
Todd Losser, Utah Public Employees' Association  
Vaughn Howard, Fraternal Order of Police  
Gary Hill, Utah League of Cities and Towns  
Micheal Milllard, Salt Lake Police Association  
Todd Richardson, Davis County Sheriff's Department

**MOTION:** Rep. Miller moved to amend the bill as follows:

1. Page 3, Lines 76 through 83:

76 (a) If the death is classified by the office as a line-of-duty death, the spouse at the  
time

77 of death shall receive   ;

(i) a lump sum [~~of \$1,500~~] equal to six months of the active member's final  
78 average salary   ; and   .

(ii)    an allowance equal to 37.5% of the member's final average monthly salary.

79 (b) If the death is not classified by the office as a line-of-duty death, benefits are  
80 payable as follows:

81 (i) If the member has accrued two or more years of public safety service credit at the  
82 time of death, the death is considered a line-of-duty death and the ~~{benefit shall be~~  
~~paid}~~ spouse at the time of death shall receive:

(A) a lump sum of \$1,500; and

(B) an allowance as

83 provided under Subsection (1)(a) (ii) .

2. Page 5, Line 147 through Page 6, Line 152:

- 147 (a) If the death is classified by the office as a line-of-duty death, the spouse at the  
time  
148 of death shall receive      
**(i)** a lump sum [~~of \$1,500~~] equal to six months of the active member's final  
149 average salary     and      
**(ii)**    an allowance equal to 37.5% of the member's final average monthly salary.
- 150 (b) If the death is not classified by the office as a line-of-duty death, and the member  
151 has accrued two or more years of public safety service credit at the time of death, the  
death is  
152 considered line-of-duty and the ~~{benefit shall be paid}~~ **spouse at the time of**  
**death shall receive:**  
**(i) a lump sum of \$1,500; and**  
**(ii) an allowance** as provided under Subsection (1)(a) **(ii)** .

3. Page 8, Lines 217 through 229:

- 217 (i) If the member has accrued less than 20 years of firefighter service credit, the  
spouse  
218 at the time of death shall receive      
**(A)** a lump sum [~~of \$1,500~~] equal to six months of the active  
219 member's final average salary     and      
**(B)** an allowance equal to 37.5% of the member's final average  
220 monthly salary.
- 221 (ii) If the member has accrued 20 or more years of firefighter service credit, the  
222 member shall be considered to have retired with an allowance calculated under Section  
223 49-16-402 and the spouse at the time of death shall receive the death benefit payable to a  
224 spouse under Section 49-16-504.
- 225 (b) If the death is not classified by the office as a line-of-duty death, the benefits are  
226 payable as follows:
- 227 (i) If the member has accrued five or more years of firefighter service credit, the  
death  
228 is considered line-of-duty and the ~~{same benefits are payable}~~ **spouse at time of**  
**death shall receive:**  
**(A) a lump sum of \$1,500; and**

229            **(B) an allowance** as established under Subsection  
              (1)(a) **(i)(B)** .

4. *Page 11, Lines 326 through 329:*

326        **(1)** An employer shall **notify the governor's office of the line-of-duty death of**  
              **an active member.**  
              **(2) The governor's office shall** ensure that the spouse, at the time of death of the  
              active member, or  
327        the beneficiary are provided assistance to understand and apply for any death benefit for  
              which  
328        the surviving spouse or beneficiaries may be eligible under this chapter, other Utah law,  
              federal  
329        law, or local policy or ordinance.

The motion passed unanimously with Rep. Last absent for the vote.

**MOTION:** Rep. Miller moved to pass the bill out favorably. The motion passed unanimously with Rep. Last absent for the vote.

**MOTION:** Rep. Powell moved to adjourn the meeting. The motion passed unanimously with Rep. Last absent for the vote.

Vice Chair Cunningham adjourned the meeting at 1:45 p.m.