

ACT 299

H.B. NO. 453

A Bill for an Act Relating to the Employees' Retirement System.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 88-21, Hawaii Revised Statutes, is amended by amending the definition of "firefighters" to read as follows:

"Firefighters": all regularly employed members of the State, including employees of the department of transportation who were assigned firefighting duties at state airports prior to June 3, 1978, or of the fire departments of the counties, whose principal duties are to prevent and fight fires."

SECTION 2. Section 88-84, Hawaii Revised Statutes, is amended to read as follows:

"**§88-84 Ordinary death benefit.** Upon the receipt of proper proofs of a member's death in service, there shall be paid to the member's beneficiary, otherwise to the member's estate, an ordinary death benefit consisting of:

- (1) The member's accumulated contributions and if no pension is payable under the provisions of section 88-85, in addition thereto¹
- (2) The member's contributions to the post retirement fund¹ and
- (3) An amount equal to fifty per cent of the compensation earned by the member during the year immediately preceding the member's death if the member had at least one year but not more than ten full years of credited service, which amount shall increase by five per cent of such compensation for each full year of service in excess of ten years, to a maximum of one hundred per cent of such compensation; provided that if the member had at least one year of credited service, the amount, together with the member's accumulated contributions shall not be less than one hundred per cent of the compensation.

If the member was eligible for service retirement at the time of the member's death in service, and the death occurred after [December 31, 1962,] March 1, 1987, the member's [surviving spouse, if the spouse is the member's] designated beneficiary, may elect to receive in lieu of any other payments provided in this section, the allowance which would have been payable if the member had retired the day prior to death and had elected to receive the member's retirement allowance under option [3] 2 of section 88-83."

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SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 25, 1987.)

Note

1. Prior to amendment, “,” appeared here.