

**ALASKA STATE LEGISLATURE**  
**HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

June 4, 2016  
11:05 a.m.

**MEMBERS PRESENT**

Representative Kurt Olson, Chair  
Representative Gabrielle LeDoux  
Representative Cathy Tilton  
Representative Andy Josephson  
Representative Sam Kito  
Representative Mike Chenault (alternate)  
Representative Jim Colver

**MEMBERS ABSENT**

Representative Shelley Hughes, Vice Chair

**OTHER LEGISLATORS PRESENT**

Representative Lora Reinbold

**COMMITTEE CALENDAR**

HOUSE BILL NO. 4002

"An Act relating to major medical insurance coverage under the Public Employees' Retirement System of Alaska for certain surviving spouses and dependent children of peace officers and firefighters; and providing for an effective date."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 4002

SHORT TITLE: INS. FOR DEPENDS. OF DECEASED FIRE/POLICE

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

05/23/16	(H)	READ THE FIRST TIME - REFERRALS
05/23/16	(H)	L&C, FIN
05/26/16	(H)	L&C AT 11:00 AM BILL RAY CENTER 208
05/26/16	(H)	Heard & Held
05/26/16	(H)	MINUTE(L&C)
05/31/16	(H)	L&C AT 1:15 PM BILL RAY CENTER 208
05/31/16	(H)	-- MEETING CANCELED --
06/01/16	(H)	L&C AT 1:15 PM BILL RAY CENTER 208

06/01/16	(H)	Heard & Held
06/01/16	(H)	MINUTE(L&C)
06/02/16	(H)	L&C AT 1:15 PM BILL RAY CENTER 208
06/02/16	(H)	-- MEETING CANCELED --
06/03/16	(H)	L&C AT 11:00 AM BILL RAY CENTER 208
06/03/16	(H)	Heard & Held
06/03/16	(H)	MINUTE(L&C)
06/04/16	(H)	L&C AT 11:00 AM BILL RAY CENTER 208

**WITNESS REGISTER**

BRANDY JOHNSON  
Fairbanks, Alaska  
**POSITION STATEMENT:** Testified in favor of HB 4002.

NIKKI TOLL  
Wasilla, Alaska  
**POSITION STATEMENT:** Testified in favor of HB 4002.

KIM RUDGE-KARIC  
Kasilof, Alaska  
**POSITION STATEMENT:** Testified in favor of HB 4002.

CARL BERGER  
Anchorage, Alaska  
**POSITION STATEMENT:** Testified in favor of HB 4002.

MEGAN LITSTER  
Petersburg, Alaska  
**POSITION STATEMENT:** Testified in favor of HB 4002.

CODY LITSTER, Alaska Wildlife Trooper  
Division of Alaska Wildlife Troopers  
Department of Public Safety  
Petersburg, Alaska  
**POSITION STATEMENT:** Testified in favor of HB 4002.

KEITH MALLARD  
(No address provided), Idaho  
**POSITION STATEMENT:** Testified in favor of HB 4002.

ANDREW MERRILL, Captain  
Division of Alaska State Troopers  
Department of Public Safety  
Anchorage, Alaska  
**POSITION STATEMENT:** Testified in favor of HB 4002, and answered questions.

WALT MONEGAN, Commissioner  
Department of Public Safety  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 4002.

ANDY HOLLEMAN, President  
Anchorage Education Association  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in favor of HB 4002.

#### **ACTION NARRATIVE**

[11:05:01 AM](#)

**CHAIR KURT OLSON** called the House Labor and Commerce Standing Committee meeting to order at 11:05 a.m. Representatives Olson, Tilton, Kito, Josephson, LeDoux, and Chenault were present at the call to order. Representative Colver arrived as the meeting was in progress. Also present was Representative Reinbold.

#### **HB 4002-INS. FOR DEPENDS. OF DECEASED FIRE/POLICE**

[11:05:11 AM](#)

CHAIR OLSON announced that the only order of business would be HOUSE BILL NO. 4002, "An Act relating to major medical insurance coverage under the Public Employees' Retirement System of Alaska for certain surviving spouses and dependent children of peace officers and firefighters; and providing for an effective date."

[11:05:56 AM](#)

BRANDY JOHNSON remarked:

My name is Brandy Johnson and I am representing myself, my husband, and my three daughters as well as current and past Alaska State Troopers, and all law enforcement that's part of the Public Employees' Retirement System. Scott's job was that of a sergeant with the state troopers. He was shot to death by Nathaniel Kangas on May 1, 2014, in Tanana, Alaska, while in the line of duty. Scott had worked twenty-three years with the state when he was murdered, two years shy of retiring and qualifying for major medical coverage for our family. My first question to state trooper representatives helping me after Scott was

killed was, "Do I and the girls have medical benefits?" I was initially told that I was set for life by one lieutenant. However, that was not the case, I later was told that my family's benefits would expire at the end of the month, May 31, 2014.

MS. JOHNSON continued as follows:

Finding this out, I was shocked, disappointed, and angry. Scott was specifically still working to obtain the health benefits for his family. I had thought the medical coverage would have been similar to what we were been getting prior to Scott's murder. I felt his last three years of service were all for nothing since he could have retired at his twenty-year mark with the State of Alaska. Scott always took his responsibilities very seriously to protect the people of Alaska. I had believed upon his death, the state would also take the responsibility to now take care of his family. What is frustrating is that the person who murdered my husband and his father who helped move my husband's dead body, they have health benefit or health coverage while they are incarcerated. I am speaking today to ask for your support of HB 4002, legislation that will help take care of the families of those peace officers killed in the line of duty in the State of Alaska. This legislation will ensure that another wife or husband will not, will be allowed to grieve, if they ever have to experience what I have, instead of trying to ensure their family has medical coverage. And if we could get a vote on this bill it would be greatly appreciated. And I would like to thank you for your time and consideration today.

[11:08:33 AM](#)

NIKKI TOLL remarked:

For the record my name is Nikki Toll. I am testifying in support of HB 4002 on behalf of myself, my three sons, and my late husband and the families of the Alaska State Troopers. My late husband was Alaska State Trooper Tage Toll. He was killed in the line of duty when Helo-1 crashed outside of Talkeetna during a successful search and rescue mission on March 30, 2013. Tage is an Alaskan hero and deserves to be

honored. Tage had been an Alaska State Trooper for ten years at the point of his death. Tage and I had chosen Alaska as our home, my boys and I continue to make that choice because, because it is a truly marvelous place. Tage served Alaska with loyalty, integrity, courage, compassion, leadership, and accountability. As a family, we were well aware of the dangers that faced Tage when he went on duty. I had faith and confidence in his abilities to handle himself, and in the training and skills he had as a law enforcement officer. In reality, nothing prepared me for the loss of my best friend, the father of my three children, and the life I had invested nineteen years. I was a proud Alaska State Trooper wife. I was a homemaker. I was a home school mom. Now I am a single mom. I have a fulltime job. My children are in three different schools. The life I had known died with Tage in that horrible crash.

MS. TOLL continued as follows:

When Tage was killed, I had one day of insurance coverage before, under current policy, it expired at the end of the month. Tage's body had not even been positively identified yet, and my three boys and I were without insurance. It was only after piles of paperwork and corrections to an inaccurate death certificate, four months later, that I was able to have the coverage I have now through PERS, but at 100 percent of the cost coming out of Tage's earned retirement benefits. Today, I would like to challenge you to take a hard look at what it truly means to honor a hero. Is honor simply empty words of sympathy? Is it statues and plaques frozen in time with feeble promises to "never forget"? Or is it real action? Is it taking the necessary measures to ensure that the individuals and families, who dedicate their lives to fulltime service to the State of Alaska, are genuinely cared for in tangible ways, like having the medical, medical coverage they need? I challenge you to discern what "in the line of duty" truly means. As state troopers, both Scott and Tage were members of the Special Emergency Reaction Team, SERT. Their motto: "I will go into harm's way." Can you look at the pictures of the charred wreckage of the Helo-1 crash site and tell me Tage didn't earn this coverage and compensation? Can you consider the over twenty-

three and a half years of Scott's faithful service, only to be gunned down in his final months before retirement, and tell Brandy that he didn't earn this coverage and compensation? This isn't a game. We aren't middle schoolers asking for a new iPhone. This isn't a handout motivated by some socialist agenda. What it takes to earn this benefit, no one ever wants to experience. This has been earned by the service and sacrifice of six hundred pounds of flesh, bone, and skin. Alaska State Troopers Gabe Rich, Scott Johnson and Tage Toll went into harm's way and paid with their lives for the wellbeing, protection, and safety of fellow Alaskans. Of all the difficult decisions you face in this session, this one is simple. Of all the issues, concerns, and dollars that might keep you up at night, this one you can feel good about, without compromise. It is time to do the right thing. It is time to put real, tangible, functional action to the word honor. Provide the necessary medical coverage for surviving families. Issue a measure of peace of mind to those men and women who continue to serve. Exhibit genuine, long-term honor that will never be forgotten. I'm asking you to serve the State of Alaska with loyalty, integrity, courage, compassion, leadership, and accountability, by supporting and voting in favor of HB 4002 and honor our Alaska heroes.

CHAIR OLSON stated the bill would be out of committee next week and to the House Finance Committee, whose members are familiar with the bill.

[11:14:08 AM](#)

KIM RUDGE-KARIC, speaking for herself, expressed her support of HB 4002 as currently written. Police officers, correctional officers, and firefighters have no choice in facing dangerous situations and are due compensation if they are killed in the line of duty, and their families deserve compensation. Working in dangerous occupations affects both the person and their families, and she urged the committee to support the bill.

[11:15:17 AM](#)

CARL BERGER, speaking for himself, stated that he worked as a correctional officer at one time. He expressed his support for HB 4002, and opined that the need has been clearly expressed by

the surviving family members who previously testified, and he also supported their ongoing efforts to get this legislation passed in order to correct the situation. He questioned why it has taken the legislature over 130 days to address this need that has been brought to its attention "over and over," and to correct the existing problem. The governor has again proposed the legislation so the legislature can respond, although it seems some members are blocking the bill, which is shameful. Mr. Berger strongly urged for the committee to take action, and he restated his support for HB 4002.

[11:18:07 AM](#)

MEGAN LITSTER said she was speaking for herself and her four children. Ms. Litster said her husband is an Alaska State Trooper and she expressed her support for those who have worked tirelessly on all of the various versions of HB 4002. Law enforcement officers and firefighters are regular people who do extraordinary jobs with pride and courage, who take an oath to serve and protect all Alaskans and visitors, and a few do not come home. What happens next is up to the members of the committee, whether their sacrifice is honored and their families are supported. The response to those who ask why police officers and firefighters are special, is that these men and women are willing to lay down their lives for our safety and freedom. These benefits are necessary, and she urged the committee to pass this very important and overdue bill.

[11:20:24 AM](#)

CODY LITSTER, Alaska Wildlife Trooper, Division of Alaska Wildlife Troopers, DPS, said he was representing his family and himself. On April 1, 2013, he received a phone call about the crash of Helo-1. In the tragic accident he lost two friends, and later at the funeral services he was astounded to learn their survivors were going to lose their health benefits. Although providing health benefits for survivors of police officers and firefighters - who lose their lives in the line of duty - is a benefit seldom utilized, the fact remains that law enforcement officers and firefighters die in the line of duty every day, and he has lost other friends and mentors in these professions. When these losses occur, the least we can do is take care of those left behind.

[11:22:04 AM](#)

KEITH MALLARD, representing himself, said he has spent his entire adult life in public service, as a corpsman in the U.S. Navy and as a law enforcement officer in Alaska. He expressed support of the bill, and as a public servant, and as someone who has lost friends in the line of duty, after which their families have lost benefits and after two years the mistake has not been corrected.

[Due to technical difficulties, portions of audio are indiscernible throughout.]

[11:24:44 AM](#)

ANDREW MERRILL, Captain, Division of Alaska State Troopers, DPS, offered to answer questions related to HB 4002.

CHAIR OLSON asked how many VPSOs are on contract and how many are employed by PERS employers.

CAPTAIN MERRILL responded that all but six are employed by nonprofit corporations or associations; the only VPSOs with PERS are those are employed by the Northwest Arctic Borough.

[11:26:02 AM](#)

[Due to technical difficulties, portions of audio are indiscernible throughout.]

REPRESENTATIVE LEDOUX asked whether VPSOs, who are employed by the Northwest Arctic Borough, are covered by the current version of the bill.

CHAIR OLSON said that witnesses indicated by nodding their heads that the six VPSOs employed by PERS employers would be covered.

CAPTAIN MERRILL encouraged the committee to support the bill.

[11:28:00 AM](#)

WALT MONEGAN, Commissioner, Department of Public Safety, said he was representing himself and DPS. Commissioner Monegan learned from over 33 years with the Anchorage Police Department that police officers, troopers, and firefighters are rare commodities. Police officers and firefighters are often tested and cannot hesitate about danger, or dwell on their family. Health insurance would make all feel more comfortable about

their families. Commissioner Monegan spoke further in support of brave men and women, and urged for the support they deserve.

[Due to technical difficulties, portions of Commissioner Monegan's testimony were reconstructed from the secretary's log notes.]

[11:30:46 AM](#)

ANDY HOLLEMAN, President, Anchorage Education Association, speaking on behalf of the members of the Anchorage Education Association (AEA), who are over 3,000 educators who staff the Anchorage School District, expressed support for HB 4002. He said the members of AEA do not expect the benefits in the bill to apply to all public employees in Alaska; men and women in certain positions place themselves in dangerous situations as a normal part of their daily job, which is not the situation faced by many other public employees. As public safety officers and firefighters provide a line of safety for residents, they need to know that we will provide reasonable care for their families if they do not go home again. Further, the relatively low cost of the bill should be borne by all, and not by the surviving families of those who serve. Mr. Holleman urged the committee to do the right thing and report the bill out of committee. As citizens, we have a collective honor to uphold, just as we ask men and women in uniform to serve with honor as well.

[11:32:26 AM](#)

The committee took an at-ease from 11:32 a.m. to 11:55 a.m.

[11:55:24 AM](#)

The committee took an at-ease from 11:55 a.m. to 12:09 p.m.

[12:09:20 PM](#)

CHAIR OLSON, after ascertaining that no one further wished to testify, closed public testimony.

[HB 4002 was held over.]

[12:09:28 PM](#)

**ADJOURNMENT**

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 12:09 p.m.