

HB

185

AS 39.35.680

CHAPTER = 39.35  
SECTION = 39.35.680  
TITLE = 39

HEADINGS TITLE 39.  
Public Officers and Employees.  
CHAPTER 35.  
Public Employees' Retirement System of Alaska.  
ARTICLE 8.  
General Provisions.

CITATION Sec. 39.35.680.

DEFINITIONS.

TEXT In this chapter, unless the context otherwise requires,  
(1) "active member" means an employee who is employed by an employer, is receiving compensation for seasonal, permanent full-time, or permanent part-time services, and is making contributions to the system;  
(2) "actuarial adjustment" means equality in value of the aggregate expected payments under two different forms of pension payments, considering expected mortality and interest earnings on the basis of tables adopted from time to time by the board;  
(3) "administrator" means the person appointed by the commissioner of administration under AS 39.35.050;  
(4) "average monthly compensation" means the result obtained by dividing the compensation earned by an employee during a considered period by the number of months, including fractional months, for which compensation was earned; the considered period consists of the three consecutive calendar years during the period of credited service which yields the highest average, or if the employee does not have three consecutive calendar years, his period of credited service; an employee must have at least 115 days of credited service in the last calendar year in order to be used as part of the three consecutive calendar years;  
(5) "beneficiary" means a person designated by an employee to receive benefits that may be due from the system upon the employee's death;  
(6) "board" means the Public Employees Retirement Board;  
(7) "calendar year" means the period beginning on January 1 and ending on December 31;  
(8) "compensation" means the total remuneration earned by an employee for personal services rendered, including cost-of-living differentials, payments for leave that is actually used by the employee, the amount by which the employee's wages are reduced under AS 39.30.150(c), and any amount deferred under an employer-sponsored deferred compensation plan, but does not include retirement benefits, welfare benefits, per diem, expense allowances, workers' compensation payments or payments for leave not used by the employee whether those leave payments are scheduled payments, lump-sum payments, donations, or cash-ins;  
(9) "credited service" means the number of years, including fractional years, recognized for computing benefits that may be due from the system;

(10) "deferred vested member" means an inactive member who meets the five-year credited service requirement to qualify for a retirement benefit;

(11) "dependent child" means an unmarried child of an employee, including one adopted, who is dependent upon the employee for support and who is either (A) under 19 years old or (B) under 23 years old and registered at and attending on a full-time basis an accredited educational or technical institution recognized by the Department of Education; age restrictions set out in this paragraph do not apply to a child who is totally and permanently disabled;

(12) "disabled member" means an employee who is terminated, who has not received a refund from the system and is receiving a disability benefit from the system;

(13) "early retirement" means retirement for a member who is not eligible for normal retirement and who is at least 50 years old and is eligible to receive benefits under AS 39.35.370(b) or under AS 39.35.385(b) or (f);

(14) "elected official" means a person whose compensation results from personal services rendered to an employer as an elected representative;

(15) "employee contribution account" means the total maintained by the system of the employee's mandatory contributions, voluntary contributions, indebtedness principal, and interest contributions, interest credited to each of those accounts, and adjustments to the accounts in accordance with AS 39.35.100;

(16) "employee savings account" means the account maintained by the system to record the voluntary contributions of each employee, including interest and adjustments to the account in accordance with AS 39.35.100;

(17) "employer" means the State of Alaska or a political subdivision or public organization of the state which participates in the system;

(18) "fiscal year" means the period beginning on July 1 and ending on June 30 of the following calendar year;

(19) "former member" means an employee who is terminated and who has received a total refund of the balance of his employee contribution account, or who has requested in writing a refund of the balance in his employee contribution account, or who is eligible for a refund under AS 39.35.200(b);

(20) "inactive member" means an employee who is terminated and who has not received a refund from the system or an employee on leave-without-pay status or layoff status;

(21) "member" or "employee"

(A) means a person eligible to participate in the system and who is covered by the system;

(B) includes

- (i) active member;
- (ii) inactive member;
- (iii) vested member;
- (iv) deferred vested member;
- (v) non-vested member;
- (vi) disabled member;
- (vii) retired member;

(C) does not include

- (i) former members;
- (ii) persons compensated on a contractual or fee basis;
- (iii) casual or emergency workers or nonpermanent employees as defined in AS 39.25.200;
- (iv) persons covered by the Alaska Teachers' Retirement System;

employees of the division of marine transportation engaged in operating the state ferry system who are covered by a union or group retirement system to which the state makes contributions;

(vi) justices of the supreme court or judges of the court of appeals or of the superior or district courts of Alaska;

(vii) the administrative director of courts appointed under art. IV, sec. 16 of the state constitution unless he becomes a member under AS 39.35.158; and

(viii) members of the elected public officers' retirement system (former AS 39.37);

(D) may include employees of the division of marine transportation excluded under (C)(v) of this paragraph provided that

(i) the State of Alaska formally agrees to their inclusion through the process of collective bargaining; and

(ii) no collective bargaining agreement has the effect of obligating contributions made by the state under AS 39.30.150 in the event the state resumes participation in the federal social security system;

(22) "military service" means active duty service in the armed forces of the United States;

(23) "nonoccupational disability" means a physical or mental condition which, in the judgment of the administrator, presumably permanently prevents an employee from satisfactorily performing his usual duties for his employer or the duties of another position or job which his employer makes available and for which the employee is qualified by training or education, not including a condition resulting from a cause which the board, in its regulations has excluded;

(24) "non-vested member" means an active or inactive member who does not meet the five-year credited service requirement to qualify for a retirement benefit;

(25) "normal retirement" means retirement for a member

who is eligible to receive benefits under AS 39.35.370(a) or under 39.35.385(a) or (f);

(26) "occupational disability" means a physical or mental condition which, in the judgment of the administrator, presumably permanently prevents an employee from satisfactorily performing his usual duties for his employer; however, the proximate cause of the condition must be a bodily injury sustained, or a hazard undergone, while in the performance and within the scope of the employee's duties and not the proximate result of the wilful negligence of the employee;

(27) "peace officer" or "fireman" means an employee occupying a position as a peace officer, chief of police, correctional officer, correctional superintendent, qualified employee of the Department of Fish and Game, fireman, or fire chief;

(28) "pension fund" means all assets held in the name of the system;

(29) "permanent full-time" means an employee who is occupying a permanent position which regularly requires working 30 or more hours a week;

(30) "permanent part-time" means an employee who is occupying a permanent position which regularly requires working at least 15 hours but less than 30 hours a week;

(31) "prescribed rate of interest" means the rate of interest used for computing employer contributions, for preparing actuarial tables used by the system and for crediting interest to employee contributions and savings accounts, and for charging interest on employee indebtedness accounts;

(32) "qualified employee of the Department of Fish and Game" means a full-time employee of that department whose duties necessitate a significant amount of field work, travel, or exposure to hazardous working conditions, and who holds a position which is designated as complying with the requirements of this section by regulations adopted by the commissioner of administration after consultation with the commissioner of fish and game, except that other personnel of that department are not excluded by this paragraph from status as an "employee" under (21) of this section;

AS39.35.680 DOCUMENT= 1 OF 1 PAGE = 11 OF 13

(33) "retired member" means an employee who is terminated, who has not received a refund from the system and is receiving a benefit other than disability, from the system;

(34) "retirement" means that period of time from the first day of the month following (A) the date of termination and (B) application for retirement, in which a person is appointed to receive a retirement benefit, other than occupational or nonoccupational disability benefit;

(35) "seasonal" refers to an employee who is occupying a position for less than 12 months each year where it is anticipated that the same employee will return to the position when needed and includes a temporary employee of the legislature if part of the service for the legislature during each calendar year is performed during a legislative session;

(36) "surviving spouse" means the spouse of an employee who has been married to the employee for at least one year at the time of the employee's death; the one-year marriage requirement does not apply when the employee's death was an occupational or accidental death;

(37) "system" means the Public Employees' Retirement System of Alaska;

(38) "vested member" is an active member who meets the five-year credited service requirement to qualify for a retirement benefit;

(39) "public organization" means an organization or entity

(A) created by the constitution or laws of the state for the purpose of administering state programs;

(B) whose officers and employees are paid by a method other than by the state payroll prepared by the Department of Administration; and

(C) whose employees are not required by law to participate in the system.

HISTORY (Sec. 3 ch 143 SLA 1960; am sec. 2 ch 93 SLA 1962; am sec. 3 ch 102 SLA 1963; am sec. 10 ch 155 SLA 1966; am sec. 14 ch 83 SLA 1967; am secs. 18 - 21 ch 109 SLA 1970; am sec. 16 ch 159 SLA 1972; am sec. 36 ch 1 SLA 1974; am sec. 110 ch 127 SLA 1974; am sec. 3 ch 200 SLA 1975; am secs. 9, 10, 15 ch 205 SLA 1975; am secs. 5, 6 ch 27 SLA 1976; am secs. 22, 23 ch 123 SLA 1976; am sec. 1 ch 141 SLA 1976; am sec. 7 ch 218 SLA 1976; am secs. 6, 7 ch 245 SLA 1976; am secs. 12, 13 ch 263 SLA 1976; am sec. 54 ch 128 SLA 1977; am sec. 3 ch 58 SLA 1979; am sec. 3 ch 67 SLA 1979; am sec. 14 ch 82 SLA 1979; am sec. 27 ch 12 SLA 1980; am secs. 47, 48 ch 13 SLA 1980; am secs. 36, 37 ch 146 SLA 1980; am secs. 68 - 73 ch 137 SLA 1982)

AS 39.35.370

CHAPTER = 39.35  
SECTION = 39.35.370  
TITLE = 39

HEADINGS TITLE 39.

Public Officers and Employees.

CHAPTER 35.

Public Employees' Retirement System of Alaska.

ARTICLE 6.

Benefits.

CITATION Sec. 39.35.370.

RETIREMENT BENEFITS.

TEXT

(a) A terminated employee is eligible for a normal retirement benefit (1) at age 55 with at least five years credited service, or (2) with at least 20 years of credited service as a peace officer or fireman, or (3) with at least 30 years of credited service for all other employees.

(b) A terminated employee is eligible for an early retirement benefit at age 50 with at least five years credited service.

(c) The monthly amount of a retirement benefit for a peace officer or fireman is two per cent of the average monthly compensation times the years of credited service up through 10 years, plus two and one-half per cent of the average monthly compensation times the years of service over 10 years. For all other employees it is two per cent of the average monthly compensation times the years of service. An actuarial adjustment must be made for an early retirement benefit.

(d) The monthly amount of a retirement benefit for a deferred vested member shall be determined in accordance with (c) of this section as it was in effect on the date of the employee's termination of employment.

(e) Benefits payable under this section accrue from the first day of the month after which all of the following requirements are met: (1) The member meets the eligibility requirements of this section; (2) he terminates his employment; and (3) he applies for retirement. The benefits are payable the last day of the month. If payment is delayed, a retroactive payment shall be made to cover the period of deferment. The last payment shall be made for the month in which a benefit is payable under this section.

(f) A member who is vested in the system as a peace officer or fireman at the time he incurs a permanent disability of at least 33-1/3 per cent under workers' compensation and who (1) undergoes retraining because of the disability; and (2) is subsequently employed with the state or other employer in a position other than peace officer or fireman, is eligible for a normal retirement benefit as a peace officer or fireman under (a) and (c) of this section when he has completed 20 years of credited service.

HISTORY (Sec. 18 ch 143 SLA 1960; am sec. 2 ch 102 SLA 1963; am sec. 7 ch 155 SLA 1966; am sec. 5 ch 235 SLA 1968; am sec. 6 ch 109 SLA 1970; am secs. 6, 7 ch 159 SLA 1972; am sec. 15 ch 47 SLA 1974; am sec. 34 ch 128 SLA 1977; am sec. 33 ch 146 SLA 1980)

MEMORANDUM

To: John  
From: Brent  
Date: May 4, 1983

Re: HB 185 STATE RETIREMENT SYSTEM, INCLUDING PROBATION OFFICERS & PARK RANGERS

WHAT THE BILL DOES:

Amends the Public Employee's Retirement System to include Probation officers and park rangers in the definition of peace officers for retirement system purposes.

Provides Act only applies to employees who retire after July 1, 1983

Provides a probation officer or park ranger who retires after July 1, 1983 may receive peace officer benefits before July 1, 1983 if he chooses, within a year of that date, to receive the additional benefits and agrees to pay an amount equal to additional contributions that would have been made if he was considered a peace officer before July 1, 1983.

What all this means is that this bill puts probation officers and park rangers into a higher paying retirement program. How much higher? Well for all other employees besides "peace officers or firemen", the monthly amount is 2% of the avg. monthly compensation times the years of service. However, for firemen and peace officers, they receive two and one-half percent of the monthly compensation times the number of years of service over ten years. So the difference is 1/2% for the years of service ten years and after.

QUESTIONS:

Let's get some facts. What amounts of money are we talking about? How much more in retirement benefits will these "probation officers" and "park rangers" be receiving? What is the additional cost to the state? And how many people will this added increase in retirement benefits benefit? How many people are we talking about? How many "park rangers" and "probation officers" are there currently working for the state?

Why did the 2 1/2% ever come into existence? What makes firemen and peace officers differ so much that they can receive a higher retirement benefit than other state employees? Could be because they at times really put their life on the line, ie. high risk job situation. I can see where firemen and police officers getting into "high risk" situations, thus perhaps earning the higher retirement benefit. But, how do "probation officers" and "park rangers" fall into this "high risk" classification? And for that matter, how do "qualified employees of the Dept. of fish and Game?" (perhaps you might want to make an

FISCAL NOTES:  
477,700 1984  
515,900 1985  
557,200 1986  
601,900 1987  
649,900 1988

amendment striking them out of the higher benefits and putting them in with the rest of the state employees)

Representative Milo Fritz  
District 5  
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Anchor Point, Alaska 99556  
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While In Juneau  
Pouch V  
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(907) 465-4833

House of Representatives

MILO FRITZ

MEMORANDUM

TO: Representative Mike M. Miller  
Representative Jim Duncan  
House States Affairs Committee Members

FROM: Representative Milo H. Fritz *MHP*

DATE: April 27, 1983

RE: House Bill 185, "An Act Amending the Public Employees Retirement System..."

I would like to request that the term "fireman" on line 13 and line 23 of page 1 be deleted and changed to "fire-fighter." This will update the language of the bill.

I would also request that two new groups be added to the definition of firefighter (fireman). The first would be "emergency medical technicians." The second would be "physician-trained mobile intensive care paramedics."

In many areas of our state, emergency medical technicians and paramedics are also firefighters or involved directly in firefighting operations. Their primary job also has the same type of dangers inherent in the other categories now covered. This addition would put them on equal ground with other public safety personnel.

There would also, of course, be the necessary changes in the title, Section 1, and Section 2 to facilitate these amendments. Your consideration would be appreciated.

dss

STATE OF ALASKA  
FISCAL NOTE

Revision Date                     , 1983

I. REQUEST

Bill/Resolution No.: HB 185  
 Title: An Act Amending PERS  
 Sponsor: M.M. Miller  
 Requestor:                                     

II. FISCAL DETAIL

Agency Affected: Administration  
 Program Category Affected: Cent. Adm. Service  
 BRU, Program of Subprogram(s) Affected: Retirement & Benefits (PERS)

EXPENDITURES/REVENUES: (Thousands of Dollars)

|                         | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 | FY 88 |
|-------------------------|-------|-------|-------|-------|-------|-------|
| <b>OPERATING</b>        |       |       |       |       |       |       |
| 100 PERSONAL SERVICES   |       | 477.7 | 515.9 | 557.2 | 601.8 | 649.9 |
| 200 TRAVEL              |       |       |       |       |       |       |
| 300 CONTRACTUAL         |       |       |       |       |       |       |
| 400 COMMODITIES         |       |       |       |       |       |       |
| 500 EQUIPMENT           |       |       |       |       |       |       |
| 600 LAND & STRUCTURES   |       |       |       |       |       |       |
| 700 GRANTS, CLAIMS, ETC |       |       |       |       |       |       |
| <b>TOTAL OPERATING</b>  |       | 477.7 | 515.9 | 557.2 | 601.8 | 649.9 |
| <b>CAPITAL</b>          |       |       |       |       |       |       |
| <b>REVENUE</b>          |       |       |       |       |       |       |

FUNDING: (Thousands of Dollars)

|                          |  |       |       |       |       |       |
|--------------------------|--|-------|-------|-------|-------|-------|
| GENERAL FUND             |  | 431.8 | 466.4 | 503.7 | 544.0 | 587.5 |
| FEDERAL FUNDS            |  | 22.0  | 23.7  | 25.6  | 27.7  | 29.9  |
| * OTHER (Specify Source) |  | 23.9  | 25.8  | 27.9  | 30.1  | 32.5  |

\*4% Veterans; 12% Fish & Game; 26% Highway; 58% Airport

POSITIONS:

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: J.K. Humphreys Phone: 465-4460  
 Division: Retirement & Benefits Date: 3-21-83  
 Approved by Commissioner: Lisa Rudd Commissioner LED Date: 3-21-83  
 Department: Administration

Distribution:

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- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

State of Alaska

Fiscal Note

HB 185

IV Analysis: To fund this bill, the state PERS contribution rate must be increased by .11% in FY 84. The state PERS payroll is estimated to be \$434,286,000 in FY 84 and increasing by 8.0% each year thereafter.

If this bill becomes law, the funding ratio in PERS will decrease by .3%.

The total actuarial present value of cost of this bill is \$4.7 million.

POSITION PAPER  
HOUSE BILL NO. 185

"An Act amending the public employees retirement system, to include probation officers and park rangers in the definition of peace officers for retirement system purposes; and providing for an effective date."

This Bill would make probation officers and park rangers eligible for enhanced "peace officer" retirement benefits after July 1, 1983. It would also enable current employees in those job classes to receive the enhanced benefits for past service by allowing them to make additional contributions to the retirement system.

The Department of Health and Social Services opposes this Bill. The Bill, if enacted, would result in significant additional costs to the State with no increase in services or benefits to the general public. The Department and the Administration maintain that the employees in question are adequately compensated and do not perform duties which result in a significant amount of exposure to hazardous working conditions.

The fact that the employees in question are adequately compensated is demonstrated by the low rate of employee turn-over in the probation officer job class and by the number of qualified applicants for probation officer positions. Eligibility for the standard State retirement program appears to be sufficient to allow for the recruitment and retention of qualified probation officers. There is no evidence to indicate that the effectiveness of services would be increased by making probation officers eligible for enhanced retirement benefits. Simply increasing the benefits or compensation to existing employees beyond the negotiated level will not result in a corresponding increase in their productivity or qualifications, or greater service to the public. Neither should it be expected to substantially increase the numbers or qualifications of those persons applying for probation officer positions.

An analysis of the duties of probation officers indicates that those duties differ qualitatively from those of law enforcement officers for whom the enhanced peace officer retirement benefits were designed. Peace officer activities are primarily of an enforcement nature and entail a high degree of risk. Such enforcement activities comprise only a minute proportion of probation officer duties and differ markedly from police enforcement activities.

Probation officer's enforcement activities are almost never of an emergency nature requiring immediate action by probation officers to protect life or personal safety. Similarly these activities rarely entail a significant risk of violence. Enforcement activities of probation officers consist largely of obtaining and serving warrants for the arrest of probationers and parolees and of making warrantless arrests of such persons for violations of conditions imposed by the court or Parole Board. These arrests are made, with rare exceptions,

POSITION PAPER  
HOUSE BILL NO. 185

PAGE 2

while accompanied by police officers who effect the actual physical arrest.

Longstanding policy for both adult and juvenile probation officers required that an arrest be made by those officers only when no law enforcement officer was available and immediate arrest was necessary to protect the person being arrested, the community, or the probation officer, or to prevent the probationer or parolee from absconding. Normal policy was for a warrant for the arrest of the probationer or parolee to be obtained and a request made of police to effect the arrest.

Recent policy changes within the Division of Adult Corrections allow probation officers employed by that agency greater discretion to effect arrests themselves. However, policy continues to strongly encourage police assistance. Standard policy also requires that if arrest situations involve significant risk of violence probation officers are to ". . . , back away immediately . . ." and not proceed ". . . until proper assistance can be obtained." Obviously, "proper assistance" is police aid.

Arrests accomplished by probation officers, then, generally are of a pro forma nature in which police personnel effect the physical arrest of the violator. The great majority of the arrests of probationers or parolees are based on warrants issued by the court or Parole Board and are made by police officers. In the majority of even warrantless arrests of probationers or parolees, which must technically be accomplished by probation officers, police personnel accomplish the actual physical arrest and they are accompanied by probation officers as a matter of form and legal necessity. This is a prudent policy given the differences in training and experience between police and probation staff.

Similarly prudent policies govern other enforcement activities carried out by probation officers. These activities, such as the conduct of searches of the residences or persons of probationers and parolees, constitute a very limited portion of the probation officer activities. They are also generally conducted with the aid of police.

Although probation officers are authorized to carry weapons they do not do so on a regular basis and such use is strictly limited as a matter of policy and because there is little need or justification for such use.

The primary activities of probation officers, then, are not those which place them in hazardous situations or require physical strength or abilities greater those normally needed in other professions. The risk of harm or violence to probation officers from job-related incidents is very slight and would not reasonably be the cause of higher levels of mental stress than those which exist in any number of other professions.

POSITION PAPER  
HOUSE BILL NO. 185

It is clear that the duties and activities of probation officers differ significantly from those of police officers for whom the enhanced "peace officer" retirement benefits were originally designed. This difference also extends to the other persons defined as peace officers which include correctional officers whose duty stations are adult penal facilities and whose duties involve the maintenance of security and day-to-day control and supervision of prisoners.

The Department recognizes the significant contribution made by probation officers to the criminal justice system and to the rehabilitation of probationers and parolees but believes that these contributions differ qualitatively and significantly from those of police and correctional officers and other "peace officers." The Department and Administration also maintain that probation officers are fairly compensated within the existing salary and retirement system structures. The addition of probation officers to the group of those eligible for enhanced "peace officer" retirement benefits would constitute a significantly greater expense to the State without an additional benefit to the public. This would be unconscionable at any time but particularly so in a time of declining State revenues when increasing benefits to a few would inevitably mean decreased services to many.

The Department opposes House Bill 185.

RECOMMENDED: Michael L. Price  
Michael L. Price, Director  
Division of Family and  
Youth Services

DATE: 4/4/83

RECOMMENDED: Roger W. Endell  
Roger W. Endell, Director  
Division of Adult  
Corrections

DATE: April 26, 1983

APPROVED BY: Robert London Smith  
Robert London Smith, Ph.D.  
Commissioner

DATE: 4/29/83

SUMMARY

I. REQUEST

Bill/Resolution No.: HB No. 185  
 Title: Peace Officers Retirement  
 Sponsor: M.M. Miller  
 Requestor: House State Affairs

II. FISCAL DETAIL

Agency Affected: H&SS  
 Program Category Affected: Adm. of Justice  
 BRU, Program of Subprogram(s) Affected: Adult Confinement Probation & Community Programs, Adm. & Support, Youth Correction

EXPENDITURES/REVENUES: (Thousands of Dollars) Services.

|                         | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 | FY 88 |
|-------------------------|-------|-------|-------|-------|-------|-------|
| OPERATING               |       |       |       |       |       |       |
| 100 PERSONAL SERVICES   |       | 453.2 | 480.4 | 509.2 | 539.7 | 572.1 |
| 200 TRAVEL              |       |       |       |       |       |       |
| 300 CONTRACTUAL         |       |       |       |       |       |       |
| 400 COMMODITIES         |       |       |       |       |       |       |
| 500 EQUIPMENT           |       |       |       |       |       |       |
| 600 LAND & STRUCTURES   |       |       |       |       |       |       |
| 700 GRANTS, CLAIMS, ETC |       |       |       |       |       |       |
| TOTAL OPERATING         |       | 453.2 | 480.4 | 509.2 | 539.7 | 572.1 |
| CAPITAL                 |       |       |       |       |       |       |
| REVENUE                 |       |       |       |       |       |       |

FUNDING: (Thousands of Dollars)

|                        |  |       |       |       |       |       |
|------------------------|--|-------|-------|-------|-------|-------|
| GENERAL FUND           |  | 453.2 | 480.4 | 509.2 | 539.7 | 572.1 |
| FEDERAL FUNDS          |  |       |       |       |       |       |
| OTHER (Specify Source) |  |       |       |       |       |       |

POSITIONS:

|           |  |   |   |   |   |   |
|-----------|--|---|---|---|---|---|
| FULL-TIME |  | 0 | 0 | 0 | 0 | 0 |
| PART-TIME |  |   |   |   |   |   |
| TEMPORARY |  |   |   |   |   |   |

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

The source of funding was not identified by the sponsors.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Michael L. Price *Michael L. Price* Phone: 465-3170  
Roger C. Lange *Roger C. Lange* Phone: 465-3376  
 Division: F&YS, Adult Corrections Date: 4/1/83  
 Approved by Commissioner: Robert Gordon Smith *Robert Gordon Smith* Date: 4/29/83  
 Department: H & S S

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HOUSE BILL NO. 185  
FISCAL NOTE  
SUMMARY

PAGE 2

IV. ANALYSIS

A. Assumptions:

This cost estimate is based upon inclusion of all Probation Officer positions in the Governor's FY 84 budget being eligible for benefits under the peace officers' retirement system, at an additional contribution rate of 9.65% for the State. There are Probation Officer positions in both the Divisions of Family and Youth Services and Adult Corrections.

B. Program Summary:

No new positions would be necessary. However, there would be increased Personal Services costs estimated at \$149,605 for the Division of Family and Youth Services, and \$303,563 for the Division of Adult Corrections.

C. Computations:

Increased costs are based upon the base salaries for 43 positions in the Division of Family and Youth Services, and 90 in the Division of Adult Corrections (65 currently authorized and 25 new positions requested) as follows:

|       |                              |           |           |
|-------|------------------------------|-----------|-----------|
| F&YS  | Base salaries of \$1,550,316 | x .0965 = | \$149,605 |
| AC    | Base salaries of \$3,145,728 | x .0965 = | \$303,563 |
| TOTAL | \$4,696,044                  |           | \$453,168 |

D. Economic Impact:

There would be no economic impact.

E. Impact on Local Governments:

There would be no impact on local governments.

STATE OF ALASKA  
FISCAL NOTE

Revision Date \_\_\_\_\_, 1983

I. REQUEST  
 Bill/Resolution No.: HB No. 185  
 Title: Peace Officers Retirement  
 Sponsor: M.M. Miller  
 Requestor: \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected: H&SS  
 Program Category Affected: Adm. & Justice  
 BRU, Program of Subprogram(s) Affected: Youth Correctional Services BRU

EXPENDITURES/REVENUES: (Thousands of Dollars)

|                         | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 | FY 88 |
|-------------------------|-------|-------|-------|-------|-------|-------|
| OPERATING               |       |       |       |       |       |       |
| 100 PERSONAL SERVICES   |       | 149.6 | 158.6 | 168.1 | 178.2 | 188.9 |
| 200 TRAVEL              |       |       |       |       |       |       |
| 300 CONTRACTUAL         |       |       |       |       |       |       |
| 400 COMMODITIES         |       |       |       |       |       |       |
| 500 EQUIPMENT           |       |       |       |       |       |       |
| 600 LAND & STRUCTURES   |       |       |       |       |       |       |
| 700 GRANTS, CLAIMS, ETC |       |       |       |       |       |       |
| TOTAL OPERATING         |       | 149.6 | 158.6 | 168.1 | 178.2 | 188.9 |
| CAPITAL                 |       |       |       |       |       |       |
| REVENUE                 |       |       |       |       |       |       |

FUNDING: (Thousands of Dollars)

|                        |  |       |       |       |       |       |
|------------------------|--|-------|-------|-------|-------|-------|
| GENERAL FUND           |  | 149.6 | 158.6 | 168.1 | 178.2 | 188.9 |
| FEDERAL FUNDS          |  |       |       |       |       |       |
| OTHER (Specify Source) |  |       |       |       |       |       |

POSITIONS:

|           |  |   |   |   |   |   |
|-----------|--|---|---|---|---|---|
| FULL-TIME |  | 0 | 0 | 0 | 0 | 0 |
| PART-TIME |  |   |   |   |   |   |
| TEMPORARY |  |   |   |   |   |   |

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

The source of funding was not identified by the sponsors.

IV. ANALYSIS: Attach a separate page for any Analysis

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 Division: Family & Youth Services Date: 4/1/83  
 Approved by Commissioner: Robert Gordon Smith, M.D. Date: 4/29/83  
 Department: H&SS

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INTRODUCTION OF BILLS (House)

HB 182, (cont'd)

into a community." (Definition added to AS 47.37, "Uniform Alcoholism and Intoxication Treatment Act.") Wages for participants in residential drug abuse and alcoholism treatment programs would be the same as the wages paid to correctional industries workers under AS 33.32.050. Those wages are set by regulation, but are limited to no more than one half the current minimum wage. Does not provide for an effective date (effective 90 days after Governor's signature).

Introduced February 9 and referred to Health, Education & Social Services, Labor & Commerce and Finance.

State Retirement Benefits  
(seasonal employees)

HOUSE BILL NO. 183, by Reps. Duncan and M.M. Miller. Relates to retirement benefits for seasonal employees under the Public Employees' Retirement System. Adds language to AS 39.-35.385 (Public Employees' Retirement System. Benefits. Conditional Service Retirement Benefits) providing: "An employee is eligible for a normal retirement benefit at age 55 or an early retirement benefit at age 50 if the employee has at least 60 days of credited service as a seasonal employee during each of five calendar years." Provides Act takes effect July 1, 1983.

Introduced February 11 and referred to State Affairs, then to Finance.

Motor Vehicle Titles

HOUSE BILL NO. 184, by Rep. Bussell. Provides for the issuance of certificates of title for certain motor vehicles that are exempt from the state registration requirements. The bill provides the Department of Motor Vehicles may issue a certificate of title to the owner of a vehicle exempt from registration under AS 28.10.011(3),(6),(7) and (11), upon application by that owner (subsections are as follows: (3) special mobile equipment as defined by regulation; (6) exempt under the Soldier's and Sailor's Relief Act; (7) driven or parked only on private property; (11) driven or moved on a highway or vehicular way not connected to the state highway system). Does not provide for an effective date (becomes law 90 days after Governor's signature).

Introduced February 11 and referred to State Affairs.

State Retirement System  
(probation officers & park rangers)

HOUSE BILL NO. 185, by Reps. M.M. Miller and Duncan. Amends the Public Employees' Retirement System (AS 39.35) to include probation officers and park rangers in the definition of peace officers for retirement system purposes. Provides Act applies only to employees who retire after July 1, 1983 (the bill's effective date). Provides a probation officer or park ranger who retires after July 1, 1983 is entitled to receive peace officer benefits before July 1, 1983 if he elects, within a year of that date, to receive the additional benefits and agrees to pay an amount equal to additional contributions that would have been made if he had been considered to be a peace officer before July 1, 1983. Provides Act takes effect July 1, 1983.

Introduced February 11 and referred to State Affairs, then to *Finance*.