

HB

438

(7)

Date Referred to Committee: March 24, 2000

HOUSE COMMITTEE REPORT

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/6/00

The STATE AFFAIRS Committee considered:

HB 438

HOUSE BILL NO. 438

PERS BENEFITS FOR EMERGENCY MEDICAL TECHS

"An Act permitting certain emergency medical personnel in police or fire departments or employed by the state troopers to convert their credited service under the public employees' retirement system to credited service as peace officers; and providing for an effective date."

recommends it be replaced with the following committee substitute CSHB 438 (STA) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) GOV zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jeannette James</i>	✓			
<i>Chal Stalley</i>	✓			
<i>Ben Kertula</i>	✓			
<i>Chris [unclear]</i>			✓	
<i>Bill Hurd</i>			✓	
<i>[unclear]</i>	✓			

CHAIR'S SIGNATURE *Jeannette James*

Subject: Re: HB 438

Date: Thu, 06 Apr 2000 11:04:54 -0800

From: David Hull <dhull@ktn.net>

To: Barbara Cotting <Barbara_Cotting@legis.state.ak.us>

Barbara,

Thanks for the update on HB 438. The question I had was if paramedics are covered in the definition of EMTs. Pat stated that he thought that was the case. Is this what you meant?

Thanks again for all the help. It is nice to know that the State government is accessible. We always hear it is, but until you try something like this you never really experience it.

Please let me know about the paramedics. I know its a small point, but it is a very important point.

Thanks again,
David Hull

*Forwarded
to Pat*

Subject: HB 438
Date: Thu, 06 Apr 2000 10:52:01 -0800
From: Barbara Cotting <Barbara_Cotting@legis.state.ak.us>
Organization: Alaska State Legislature
To: dhull@ktn.net

Hello David,

HB 438 moved out of our House State Affairs Committee today. I took your note to Pat, in Rep. Kott's office, and he assured me that EMT's are included.

If you have any further questions, give Pat a call at 465-3777.

Thanks for your interest in the bill, and good luck in its continued progress.

Barbara Cotting, Legislative Aide

Subject: HB 438

Date: Tue, 04 Apr 2000 13:17:41 -0800

From: David Hull <dhull@ktn.net>

To: Representative_Jeannette_James@legis.state.ak.us

Representative James,

My name is David Hull and I testified this morning on HB 438. I wanted to thank you for the opportunity to testify on this matter. As I said in my statement, EMS belongs in the PERS 20 year retirement and I applaud your, and your committee's willingness to pursue the matter further. I am admittedly a little thick headed when it comes to legislative affairs, but it appeared that the majority of the committee's response was positive. Hopefully the Bill can be presented and voted on during this session. If not, I fear the momentum for the change may be lost.

One item did surface in my mind and hopefully will be clarified. It is assumed that the definition of "EMTs" will include paramedics. If this is not so then please consider the addition of paramedics into the definition.

Through the local LIO, I have fax you a copy of my prepared statement to you. If there is any additional information I can provide you please feel free to contact me at the avenues presented below.

Thank you for your time and I look forward to hearing from you soon on the out come of HB 438.

David Hull, Lieutenant/EMT-P
Ketchikan Fire Department
daveh@city.ketchikan.ak.us
dhull@ktn.net

1-LS157AG
Cramer
4/5/00

CS FOR HOUSE BILL NO. 438(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

**Offered:
Referred:**

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act permitting certain emergency medical personnel to convert their credited
2 service under the public employees' retirement system to credited service as peace
3 officers; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 39.35.370 is amended by adding a new subsection to read:

6 (g) When an employee who was employed by an employer in the public
7 employees' retirement system as an emergency medical service officer or an emergency
8 medical technician applies for appointment to retirement, the employee may convert
9 the credited service for that position to credited service as a peace officer by claiming
10 the service as peace officer service. An employee who has converted credited service
11 to peace officer service under this subsection shall be treated as a peace officer for
12 purposes of this chapter. When the member claims this credited service as peace
13 officer service, an indebtedness of the member to the system shall be established. The
14 indebtedness is equal to the full actuarial cost of the conversion of the credited service

1 to treatment as peace officer service. Any outstanding indebtedness that exists at the
2 time the member is appointed to retirement will require an actuarial adjustment to the
3 benefits payable based upon the conversion of the credited service.

4 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

Fax to 210

For State Aff.
4/6/00 - →
Replace "D"
with this one.

1-LS1574(B)
Cramer
4/4/00

CS FOR HOUSE BILL NO. 438(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): **HOUSE JUDICIARY COMMITTEE**

A BILL

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6 (g) When an employee who was employed by an employer in the public
7 employees' retirement system ~~and whose primary duties were for work~~ as an
8 emergency medical service officer or an emergency medical technician applies for
9 appointment to retirement, the employee may convert the credited service for that
10 position to credited service as a peace officer by claiming the service as peace officer
11 service. An employee who has converted credited service to peace officer service
12 under this subsection shall be treated as a peace officer for purposes of this chapter.
13 When the member claims this credited service as peace officer service, an indebtedness
14 of the member to the system shall be established. The indebtedness is equal to the full

1 actuarial cost of the conversion of the credited service to treatment as peace officer
2 service. Any outstanding indebtedness that exists at the time the member is appointed
3 to retirement will require an actuarial adjustment to the benefits payable based upon
4 the conversion of the credited service.

5 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

entered as

1-LS1574A

Serry Cramer

HOUSE BILL NO. 438

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Introduced: 3/24/00

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act permitting certain emergency medical personnel ~~in police or fire~~
2 ~~departments or employed by the state troopers~~ to convert their credited service
3 under the public employees' retirement system to credited service as peace officers;
4 and providing for an effective date."

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7 (g) When an employee who was employed as an emergency medical service
8 officer or an emergency medical technician ~~in a state trooper office or in a police or~~
9 ~~fire department~~ in the public employees' retirement system applies for appointment to
10 retirement, the employee may convert the credited service for that position to credited
11 service as a peace officer by claiming the service as peace officer service. An
12 employee who has converted credited service to peace officer service under this
13 subsection shall be treated as a peace officer for purposes of this chapter. When the
14 member claims this credited service as peace officer service, an indebtedness of the

*as primary duty -
work for
a PERKS
employer.*

1 member to the system shall be established. The indebtedness is equal to the full
2 actuarial cost of the conversion of the credited service to treatment as peace officer
3 service. Any outstanding indebtedness that exists at the time the member is appointed
4 to retirement will require an actuarial adjustment to the benefits payable based upon
5 the conversion of the credited service.

6 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

CS FOR HOUSE BILL NO. 438(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

**Offered:
Referred:**

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

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5 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

50 Front Street, Suite 203
Ketchikan, Alaska 99901
Phone: 907-225-9675
Fax: 907-225-8546

STATE OF ALASKA
Legislative Information Office



Fax

To: H-STA COMMITTEE	From: DAVID HULL
Fax: 465-2381	Date: 4.4.00
Phone:	Pages: 3 INC. COVER
Re: HB438 TESTIMONY	

*Carrollta
2267*

Madam Chairman,

My name is David Hull and I am a career Lieutenant for the Ketchikan Fire Department. I have been a firefighter for 25 years. I am also a paramedic and have been involved with Emergency Medical Services (EMS) for over 23 years.

Before you this morning for your consideration is House Bill 438, an act permitting certain emergency medical personnel to convert their retirement under PERS to a 20 year program instead of the 30 year program that they fall under now.

Career Emergency Medical Technicians (EMT), Paramedics and EMS Officers are currently not included in the PERS 20-year retirement plan even if they are a fire or police based system. Recently the House Judiciary and the Senate Labor and Commerce Committees passed HB 230 allowing dispatchers in a police or fire department coverage by the PERS 20 an out system. This was a right decision. The inclusion of the dispatchers is much deserved as the compelling testimony pointed out, however, Career EMS personnel should also be added to this definition.

Under pressure from PERS last year, our fire department had to make changes to the job description of our career EMS Specialists to include primary fire fighting duties or face having them removed from this "20 and out" provision. We are now conducting a search for a new EMS Captain to head our EMS division. This person's duties will involve maintaining the level of service that this department is currently providing. Without changing the job description, this position will not be covered under the "20 and out" provision of the PERS system. This position should be covered, as should other career EMS positions without having to change the duties and intent of their EMS position. Over 60% of the calls this department responds to are EMS calls. That compares with the national average. In fact, all across the nation, EMS is being recognized as a "bread and butter" operation for fire departments large and small alike.

While there is no denying the dangers involved in fighting fire, EMS has its very real dangers also. Hepatitis B, Hepatitis C, antibiotic resistant strains of TB, and of course HIV and AIDS are just a few of the dangers that face EMS personnel on every call they go on. These people could be holding your life or someone's life you know in their hands. The skills and equipment they put to use save lives. Even if the situation is not life threatening, EMS providers still save life styles by handling broken limbs and spines properly thereby limiting additional damage and possibly a lifetime of disability. Trauma is one of the leading causes of death and disability nation wide. Alaska leads the nation in this per capita statistic.

The stresses involved in this activity rival any produced on a fire scene or police action. While it has been said that EMS personnel do not face the levels of stress that firefighters or police officers do in a life and death situation, I can tell you from personal experience that holding someone's life in your hands and the only reason they may have a chance at all is based on your making a right decision, that level of stress is every bit as intense and difficult to deal with. I can make that statement freely and truthfully. I have been on both sides of the issue. I have worked on countless people and countless fires these last 23 years and having gotten killed a couple of times and living through it, my preference, stress wise, is still a good old house fire any day.

I tried to have EMS personnel added when HB 230 was in House Judiciary Committee, but was late in my interaction. Representative Williams informed me that the bill had already cleared the House and was on its way to the Senate. He suggested I put in my request there.

My first information put the bill in the Senate Judiciary Committee. Jim, in Senator's Taylor's office was kind enough to steer me in the right direction and also informed me that the addition of EMS personnel will carry no fiscal note to the Bill, the same effect as adding in the dispatchers. That was how I ended up testifying before the Labor and Commerce Committee, again I was a little late.

Regardless of the out come of my request, I want to thank Representative Kott and Senator Mackie, and the members of both their committees for giving me a second chance at rectifying this exclusion of EMS personnel from the PERS 20 year retirement. I also need to thank their respective aids, Pat Harmon and Dave Grey for their guidance of this politically inept individual through the rigors of legislative reality.

I want to conclude by saying that I am proud to be a firefighter and a paramedic. Both professions have been equally rewarding to me, and equally stressful. EMS should be able to stand on its own when compared to the police and fire professions. Police and fire personnel, as well as police and fire dispatchers, belong in this PERS provision, based on their job description. Having said that, I strongly believe that career EMS positions should also be included in this provision without the necessity of changing their job descriptions to make them eligible.

Thank you and your committee for the time and attention you have given me to present my testimony. I would be glad to answer any questions.

Alaska State Legislature

House of Representatives

COMMITTEES
JUDICIARY COMMITTEE, CHAIR
RULES
MILITARY & VETERANS AFFAIRS
UTILITY RESTRUCTURING
ETHICS



INTERIM:
10928 EAGLE RIVER RD., SUITE 141
EAGLE RIVER, AK 99577

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801

Sponsor Statement HB 438

HB 438 will allow emergency medical personnel at retirement to have the option to convert their service as medics to service as a peace officer. To qualify for a peace officer retirement the medics must have at least twenty years of service as an emergency medical technician or peace officer.

The medic must pay for the full cost of conversion of the credited service as a medic to the peace officer retirement. The financial impact on the state, the municipalities, and the PERS system is revenue neutral. There will be no additional cost to the government for this benefit for the medics.

The medics are in a high stress occupation and the burnout that medical personnel experience is reflected in higher than normal turnover. There have been very few medical personnel retirements with 30-years of service. With the option for 20-year retirement we are hopeful that retention will be improved. If retention is improved there is a probability that training and recruitment cost will be lower in the future.

Basically, we have been approached by a group of citizens who want a government service, and they are willing to pay for that service. It is the sponsor's belief that the legislature should embrace any group that seeks a government service and is willing to pay for it.



Representative Pete Kott

JUNEAU OFFICE (907) 465-3777 TOLL FREE 1-800-861-KOTT(5688) FAX (907) 465-2819
EAGLE RIVER OFFICE (907) 694-8944 FAX (907) 694-8945 E-MAIL: representative_pete_kott@legis.state.ak.us



March 20, 2000

SENATE LABOR & COMMERCE
Senator Jerry Mackie, Chair
State Capitol, Room 427
Juneau, AK 99801-1182

Senator Mackie,

Currently there is a bill (HB230) before your committee intent on granting dispatchers in police and fire departments coverage under the PERS "20 and out" retirement system. *This is legislation that is long over due and deserving of all our support.* However, I believe that another segment of emergency services personnel are being overlooked, Emergency Medical Services (EMS).

Career Emergency Medical Technicians (EMT), paramedics and EMS Officers are currently not covered by the wording contained in Section 1. AS 39.35.680(28) which reads, "peace officer" or "fire fighter" means an employee occupying a position as a peace officer, chief of police, correctional officer, correctional superintendent, fire fighter, fire chief, or probation officer;". The addition of "dispatcher in a police or fire department or in a state trooper office" will appear in this section if the bill passes. EMS personnel should be added to this definition.

Under pressure from PERS, our fire department had to make changes to the job description of our career EMS Specialists to include more primary fire fighting duties or face having them removed from the "20 and out" provision. We made those changes. Capital City Fire had similar problems with their new EMS trainer position and had to change the job description to ensure the position was included. We are now in search of a new EMS Captain to head our EMS division. This person's duties will involve maintaining the level of service that this department is providing. This position may not be covered under the "20 and out" provision of the PERS system. The position should be covered, as should other career EMS positions without having to change the job description and intent of their EMS position.

As I understand the process, you will be meeting on this issue tomorrow. I tried to have EMS personnel added when the bill was in the House. Representative Bill Williams informed me that the bill had cleared the House side and was on the way to the Senate before my suggested addition could be made. He suggested I put in my request to the Senate. I also understand that the addition will carry no fiscal note to the Bill, the same effect as adding in the dispatchers.

Please add the EMS positions, or perhaps EMS positions could be included somehow under the current definitions as SB 158 is attempting to do for correctional officers. In either case, EMS staff and line positions should be included in this provision along with the dispatchers.

I wish to again offer my support, regardless of the out come of my request, for the addition of dispatchers in the PERS retirement. Their duties are as important as the police officer or fire fighter in the field. I can tell you from personal experience that these dispatchers save lives and help the communities in countless ways. Some of the lives they save are ours. I do, however, strongly believe that career EMS positions should also be included in this provision.

Thank you for the time you have given to read and consider this letter.

David Hull, Lieutenant/MICP
Ketchikan Fire Department
319 Main Street
Ketchikan, Alaska 99901
(907) 225-9616
(907) 225-5051 (H)
daveh@city.ketchikan.ak.us
dhull@km.net

Alaska State Legislature

House of Representatives

COMMITTEES
JUDICIARY COMMITTEE, CHAIR
RULES
MILITARY & VETERANS AFFAIRS
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INTERIM:
10928 EAGLE RIVER RD., SUITE 141
EAGLE RIVER, AK 99577

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801

Memorandum

TO: Representative Jeannette James, Chairman
House State Affairs Committee

FROM: Representative  Pete Kott

SUBJECT: Request for Hearing, HB 438

DATE: March 27, 2000

I request that HB 438, an Act permitting certain emergency medical personnel in police or fire departments or employed by the state troopers to convert their credited service under the public employees' retirement system to credited service as peace officers; and Providing for an effective date, be heard as soon as possible.

- Current version of the bill
- Sponsor Statement
- Letter of support from David Hull

Additional information background information and any teleconference requirements will be provided as it becomes available, and well before the hearing.



Representative Pete Kott

JUNEAU OFFICE (907) 465-3777 TOLL FREE 1-800-861-KOTT(5688) FAX (907) 465-2819
EAGLE RIVER OFFICE (907) 694-8944 FAX (907) 694-8945 E-MAIL: representative_pete_kott@legis.state.ak.us





Alaska State Legislature

Please enter into the record my testimony to the STATE AFFAIRS HOUSE JUDICIARY COMMITTEE
 committee name
 committee on HB 438, dated 4/04/2000
 bill/subject

IT IS MY INTENT TO SEE EMERGENCY MEDICAL SERVICE PERSONNEL; EMTs AND PARAMEDICS, PLACED ON EQUAL FOOTING WITH FIRE AND LAW ENFORCEMENT PERSONNEL FOR THE PURPOSE OF RETIREMENT BENEFITS/TIME IN SERVICE FOR RETIREMENT ELIGIBILITY. FURTHERMORE, I WOULD LIKE EMS PERSONNEL RECOGNIZED AND CREDITED FOR THE DIFFICULT WORK THEY DO. FOR YEARS FIREFIGHTERS AND POLICE OFFICERS HAVE BEEN RECOGNIZED FOR THE POTENTIALLY DANGEROUS WORK THEY DO. EMTs AND PARAMEDICS FACE EQUALLY DANGEROUS AND STRESSFUL SITUATIONS DAILY.

THE BILL AS IT APPEARS BEFORE ME THIS MORNING SPEAKS TO EMERGENCY MEDICAL PERSONNEL WHO ARE MEMBERS OF A FIRE DEPT. OR A POLICE DEPT. THE NITANUSKA-SUSITNA BOROUGH HAS AN EMERGENCY MEDICAL SERVICE SYSTEM WHICH IS ADMINISTERED UNDER THE BOROUGH'S DEPT. OF PUBLIC SAFETY WHICH HAS NO POLICE POWERS AND IS NOT THE FIRE DEPT. BOTH EMS AND FIRE SERVICES ARE PART OF PUBLIC SAFETY BUT ARE SEPERATE. EMS BEING A BOROUGH WIDE SERVICE. FIRE SERVICE PROVIDED ON A "SERVICE AREA" BASIS.

~~IT~~ IT SEEMS, ACCORDING TO THE BILL THAT AN EMT WOULD NEED TO BECOME, IN FACT OR THEORY, A POLICE OFFICER IN ORDER TO QUALIFY FOR THE "20 YEAR AND OUT" CATEGORY.

Signed: R. Melvin Dooling
 Testifier

Representing (Optional)
PO BOX 523 PALMER, AK 99645

Address
H (907) 746-4146 10-373-8800

Phone No.

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HB 438 (STA)

Revision Date/Time 30-Mar-00 Dept. Affected Administration
 Title An act permitting certain emergency medical BRU Centralized Administrative Services
personnel...to convert their credited service.... Component Retirement and Benefits
 Sponsor (H) JUD
 Requester (H) STA Component No. 64

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation, unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The Public Employees' Retirement System (PERS) allows peace officers to retire with 20 years of service and non-peace officers to retire with 30 years of service, regardless of age. HB 438 would allow an individual with 20 years of PERS emergency medical service officer or technician service to convert that service to service as a peace officer, thereby allowing the individual to retire. The individual would be required to pay the full actuarial cost of this conversion, either in a lump sum or through a lifetime retirement benefit reduction. Since the full actuarial cost is paid by the employee, this legislation has no fiscal impact to the State of Alaska or other PERS employers.

Prepared by: Guy Bell, Director Phone 465-4471
 Division Retirement and Benefits Date/Time _____
 Approved by Commissioner Robert Poe Jr. Date 3/30/00
 Agency Department of Administration

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