

HB

284

**Alaska State Legislature**  
House of Representatives

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**Representative Harry Crawford**  
District 21

**Memorandum**

**TO:** Representative Bruce Weyhrach  
Chair House State Affairs Committee

**FROM:** Representative Harry T. Crawford

**DATE:** Tuesday, April 29, 2003

**RE:** House Bill 284

I respectfully request that House Bill 284 be scheduled for hearing in the House State Affairs Committee at your earliest possible convenience. I have attached a sponsor statement, and background information.

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**SPONSOR STATEMENT: HOUSE BILL 284**

*"An Act allowing peace officers with previous service as fish and wildlife enforcement officers in the Department of Public Safety to claim credit for service as peace officer service; and providing for an effective date."*

HB 284 remedies an injustice that resulted when the Fish and Wildlife Enforcement Officer (FWEO) program was discontinued in 1995. On discontinuation, Enforcement Officers had two choices: either leave State service entirely, or apply for new positions in other departments. Many applied for admission into the Alaska State Trooper Academy. Of the few who were accepted, most are still employed as Alaska State Troopers (peace officers) in the Department of Public Safety.

Since the FWEO program was, like most other State programs, under a 30-year retirement system, Enforcement Officers who transitioned into non-Trooper positions were eligible to convert their FWEO years into credited service under their new retirement systems. Troopers within the Department of Public Safety, on the other hand, are under a 20-year system; as a result, Enforcement Officers who transitioned into Trooper positions forfeited years accumulated under the FWEO program. This was particularly unfair because Enforcement Officers carried weapons and performed job responsibilities that were almost identical to those of peace officers.

HB 284 remedies this situation by allowing a former Enforcement Officer who is now a Trooper to convert years accumulated under the old FWEO system into credited service under PERS, so long as (1) he or she becomes vested in PERS as a peace officer prior to retirement, and (2) he or she reimburses PERS for any difference between the FWEO and PERS contribution rates.

Unlike Court Safety Officers who several years ago sued the State of Alaska under similar circumstances – and were allowed to credit service as asked for here – Troopers who would be eligible under this bill have decided against litigation as their first step. Instead, they have come to the Legislature and asked for our voluntary assistance. I hope you will join me in a vote of support for those Alaskans who have given years of service to the State, first as Fish and Wildlife Enforcement Officers and now as Alaska State Troopers, and pass HB 284.

## HB 284 Fish & Wildlife Enforcement Officer Cost/Savings/Benefit Comparison

The goal of HB 284 is to grant previous time of service as a Fish & Wildlife Enforcement Officer to count towards the Peace Officer years of service requirements. The important issue for the State Legislature to consider, besides the obvious value to those affected employees, is what is the cost to the State of Alaska? The following is a highlight of the important points that need to be considered, who it affects, and what is the cost:

- Fish & Wildlife Enforcement Officers, FWEO's, paid into PERS at the 6.75% of gross salary rate. Peace Officer rate is 7.5%.
- HB 284 will require FWEO who wish to count those years of service towards Peace Officer requirements to pay the PERS system an additional .75% of their gross salary for those years of service. There will be no cost to the State of Alaska.
- FWEO will be allowed to count those years of service towards the Peace Officer 20 years of service requirement for the purposes of retirement.
- FWEO will retire with fewer years of service.
- Most FWEO are Tier II employees. Their PERS retirement is based on average monthly salary of high three years X years of service X the multiplier (2% first 10 years, 2.5 % second 10 years +)
- If required to work additional years, to meet the 20-year Peace Officer requirement, the only factor that is different is the total number of years of service. The higher the number of years of service the greater the benefit paid to the employee. Fewer years of service costs the State of Alaska less money.
- There are approximately 24 former FWEO who are State Employees currently in a Peace Officer position.
- Years of service range from as little as 1 year to as many as 7 years.
- AS 11.81.900 defines FWEO as a "Peace Officer". This gives FWEO a legitimate claim to time in service.

### EXAMPLE

Multiplier X	Years of Service	X	Average Salary of High 3 Years =	Benefit
.02	10		\$5000	\$1000
.025	10		\$5000	\$1250
				Total \$2250
.02	15		\$5000	\$1500
.025	10		\$5000	\$1250
				Total \$2750

The additional 5 years of State service, non peace officer, cost the State an additional \$500 per month, or \$6000 per year.

If this were the average, and it is close based on my personal knowledge, it will **cost the State of Alaska an additional \$144,000 each year**. Based on 5 years of additional service average and the 24 FWEO that this would affect.

#### **Savings to the State of Alaska:**

\$6000/year/employee X 24 employees = \$144,000/year

Obviously, these are just estimates. They are realistic. Most likely the savings will be higher.

Question: Why do we want this?

Answer: Most FWEO waited several years to start their careers in wildlife law enforcement due to the hiring freezes in effect at the time. We have now been acting as law enforcement officers for close to 20 years. Some of us are getting older and we need to move on to other things in life. Without this option we will have no choice but to stay an additional number of years. Most of us are willing to trade the PERS benefit of a higher retirement check for the opportunity to move on.