



Chair: Frank Heumann Vice-Chair: Marty Peterson Secretary/Treasurer: Ryan Mellor

Minutes of March 4, 2010

Members Present: Scott Adams, Dawayne Coombs, Ryan Eckardt, Martha Ellis, Eldon Farnsworth, Ross Fowlks, Frank Heumann, Jim Judd, Steve Lutz, Ryan Mellor, Ron Morris, Marty Peterson, Jim Rampton, Greg Rynders, Lynn Schofield, Gaylord Scott, George Sumner, Brad Wardle, and Jay Westergard

Phone: Ted Black, Robert Stocker, and Kevin Ward

Bureau Staff: Paul Patrick, Jim Hansen, and Jenny Allred

1. Call to Order:

- a. Roll Call and Contact List Update

Frank Heumann welcomed those present and called the meeting to order. He asked everyone to sign the roll and update the contact list.

2. Consent Agenda:

- a. Approval of Previous Meeting Minutes

Frank Heumann asked for a motion for the approval of the last meeting minutes.

Jim Rampton made a motion to approve the minutes of February 25, 2010. Ryan Echardt seconded the motion and voting was approved by all. There were no abstentions or negative votes.

3. Old Business:

- a. Nothing reported.

4. New Business:

- a. Utah Retirement System Update

Marty Peterson stated that any changes made to S.B. 43 Sub 3 and S.B. 63 Sub 3 would be at the next legislative session. Senator Liljenquist stated that he would consider changes.

Marty Peterson discussed the following bills.

- H.B. 233 Retirement Office Amendments – Sponsor: Don L. Ipson – **Watch** This bill in the Senate placed on 2nd Reading Calendar.

- S. B. 42 Retirement Eligibility Modifications – Sponsor: Daniel R. Liljenquist – **Watch**
- S.B. 43 Sub 3 Post- Retirement Employment Amendments – Sponsor: Daniel R. Liljenquist – **Cannot Support with out further study.**

Lynn Schofield made a motion to change the position status on H.B. 43 Sub 3 from cannot support with out further study to support as written. Ryan Mellor seconded the motion. There were no abstentions or negative votes.

This bill is enrolled.

Marty Peterson distributed and discussed a simple summary of S.B. 43. Although it was reported to the public that eliminating “double dipping”, would save the State hundreds of millions of dollars, the legislative fiscal analysis reports that actually the changes passed by the legislature are very expensive. The changes will increase the amount required to fund the Firefighter’s retirement by 1.37% of salary. These changes are effective 7/1/10.

Summary of provisions regarding **retirees reemployed prior to July 1, 2010**: The employer no longer is required to contribute to a 401k for reemployed retirees. Nor are any other contributions required to be made to the URS related to these reemployed retirees.

Summary of the provisions regarding **retirees reemployed after July 1, 2010**: 1. If a Firefighter returns to work with a public employer prior to one year after retirement, the pension payments are suspended until the employment ceases.

2. After one year a retired Firefighter may be reemployed in the public sector including a Fire Department but must decide to either:
 (a) Suspend the monthly pension payment and accrue additional years of pension credit, paid for by the employer and employee, or
 (b) Continue receiving the earned monthly pension allowance. In which case the employer instead of paying for an increased benefit must contribute to the URS a similar amount which is applied to resolving the shortfalls from investment declines in 2008.

3. Employers must report to the URS any reemployed retirees and Firefighters reemployed by a public employer must notify the URS also. Another provision of this bill provides that the 70% “cap” on final average salary at retirement is eliminated. This means that a Firefighter continues to earn service credit for years worked past 30. So everyone earns 2.5% for each year of service up to 20 years and 2% for each year thereafter. This applies to those who retire on or after July 1, 2010. And applies to all years of service including years prior to 2010 and so is considered retroactive. The accrual is unlimited. So if you work, for example for 40 years as a Firefighter, the retirement allowance is 90% of final average salary. To review the actual law: www.le.state.ut.us select on the left side: Utah Code/Constitution, then [Utah Code - by Title, Chapter, and Section](#) chapter 49 is retirement.

- S.B. 63 Sub 3 New Public Employees’ Tier II Contributory Retirement Act – Sponsor: Daniel R. Liljenquist – **Support**

This bill is enrolled.

Lynn Schofield made a motion to change the position status on H.B. 63 Sub 3 from support to cannot support with out further study as written. Ryan Mellor seconded the motion. There were no abstentions or negative votes.

- S.B. 94 Supplemental Benefit Amendments For Noncontributory Public Employees – Sponsor: Daniel R. Liljenquist – **Watch**
Marty Peterson reported that this bill is filed.
- H.B. 286 Retirement System Divestment – Sponsor: Julie Fisher – **Watch**
This bill modifies the Utah State Retirement and Insurance Benefit Act by requiring the Retirement office to prevent the investment of retirement funds in Iran's petroleum sector. This bill is in the House on the 2nd reading calendar
Marty Peterson recommended adding H.B. 286 to the watch list.

Marty Peterson distributed and discussed a draft copy of the Utah Retirement Defined Benefit/Contribution Summary 2010 System Comparison sheet. There will be amendments made and posted on the Legislative web site.

- b. Legislative Watch List (refer to the list on the following website: www.firecouncil.com).

The Joint Fire Council discussed the following bills:

- H.B. 45 State Construction Code Adoption Sponsor: – Sponsor: Michael T. Morley – **Support**
Scott Adams reported that this bill is waiting to be signed.
- H.B. 113 Child Restraint Device Amendments – Sponsor: Christopher N. Herrod – **Oppose**
This bill is filed.
- H.B. 121 Sub 2 Emergency Medical Services Act Transport Amendments – Sponsor: Gregory H. Hughes – **Watch**
Brad Wardle reported that a third substitute would be out on this bill.
Brad Wardle made a motion to change the position status on H.B. 121 Sub 2 from watch to oppose as written. Ryan Echardt seconded the motion. There were no abstentions or negative votes.
- H.B. 139 Sub 2 Emergency and Disaster Management Amendments – Sponsor: Curtis Oda – **Watch**
This bill is in the Senate Committee with favorable recommendation.
Kevin Ward made a motion to change the position status on H.B. 139 Sub 2 from watch to support as written. Gaylord Scott seconded the motion. There were no abstentions or negative votes.
- H.B. 173 Sub 1 911 Amendments – Sponsor: Brad L. Lee – **Watch**
Ryan Mellor made a recommendation to continue watching this bill.
- H.B. 175 Amendments to Light Requirements on Motor Vehicles – Sponsor: Kraig Powell – **Watch**
This bill is in the House Committee the motion to recommend failed.
- H.B. 183 Construction and Fire Code Related Amendments – Sponsor: Michael T. Morley – **Support**
Scott Adams reported that this bill passed and is on the Senate 3rd reading calendar. Further debate and amendments can take place and a vote is taken.

- H.B. 201 Sub 1 State Fire Marshal Modifications – Sponsor: Ronda Rudd Menlove – **Support**
Ron Morris report that this bill passed the House concurred calendar 56 to 14. This bill is going back to the Senate for signatures and awaiting the Governor’s signature. This bill was substituted in the Senate. The substitution is to allow someone to go out of state to buy the novelty lighters to give as gifts. They would not be deemed as a distributor or fined. If someone wants to manufacture the novelty lighters, they could do so. The amendment made in the House was that the Fire Marshal is required to list on the DPS web site the novelty lighters that are band.
Jay Westergard made a motion to change the position status on H.B. 201 Sub 1 from watch to support as written. Greg Rynders seconded the motion. There were no abstentions or negative votes.
- H.B. 202 Fireworks Amendments – Sponsor: Ronda Rudd Menlove – **Support**
Ron Morris reported that this bill is on the third reading calendar in the Senate. This bill has a small fiscal note.
- H.B. 253 Transfer Of The Bureau of Emergency Medical Services From The Department of Health To The Department Of Public Safety – Sponsor: Paul Ray – **Watch**
This bill is at the House Committee returned to rules.
- H.B. 308 State Fire Code Adoption – Sponsor: Todd E. Kiser – **Support**
Scott Adams reported that this bill passed and on the Senate 3rd reading calendar. Further debate and amendments can take place and a vote is taken.
- H.B. 356 Emergency Medical Services Amendments – Sponsor: Paul Ray – **Watch**
This bill is still a Box Car.
- S.B. 113 Wireless Telephone Use Restriction For Minors In Vehicles – Sponsor: Ross I. Romero – **Support**
This bill is in the House Committee favorable recommendation.
- S.B. 178 Utah Emergency Medical Services System Act Amendments – Sponsor: Dennis E. Stowell – **Support**
Paul Patrick reported that this bill is in the House on third reading calendar.

c. Fire Caucus Lunch Summary

Greg Rynders thanked everyone for all the tremendous efforts with the Fire Caucus Luncheon. There were a few challenges, but overall it was huge success. He asked the Joint Council for suggestions on how to improve for next year. There were 77 lawmakers and not sure on the number of firefighters that attended. Put it on the calendar, February 14, 2011, the next Fire Caucus lunch. Maybe Senator Valentine will be a sponsor.

5. Board Member and District Representative Reports:

- a. Chair – Frank Heumann asked the council to think of the final summary on the bills.
- b. Vice-Chair – Marty Peterson had nothing more to discuss.
- c. Treasurer – Nothing to report.
- d. District Representatives – Nothing more to report.

6. Good of the Order:

- a. Nothing to report.

7. Meeting adjourned.

Next Meeting:

The next meeting is scheduled for March 11, 2010, 9:00 a.m., Cannon Health Building, Conference Room 101.

The Post Legislative Session Wrap-up, Wednesday March 24 at 9:00 a.m., Marie Callenders Restaurant and Bakery, (1109 East. 3900 South, SLC)