



House of Representatives

General Assembly

File No. 409

January Session, 2013

House Bill No. 6596

House of Representatives, April 8, 2013

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING POLICE OFFICERS AND FIREFIGHTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-455 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (1) With respect to the employees of any municipality, the Governor
4 shall authorize a referendum upon request of the legislative body of
5 such municipality and shall designate the commission to supervise the
6 conduct of such referendum, in accordance with the requirements of
7 Section 218(d)(3) of the Social Security Act, on the question of (A)
8 whether service in positions covered by a retirement system
9 established by the state or by a municipality should be excluded from
10 or included under an agreement under sections 7-452 to 7-455,
11 inclusive, [; but] except that no such referendum shall be held with
12 respect to services the exclusion of which is required by subdivision (2)
13 of section 7-454, or (B) whether service of individuals in policemen's
14 or firemen's positions covered by a retirement system established by
15 the state or a municipality who have been in continuous employment

16 with a municipality since prior to April 1, 1986, should be excluded
17 from or included under an agreement under sections 7-452 to 7-455,
18 inclusive, for purposes of health insurance coverage under Title XVIII
19 of the Social Security Act. Pursuant to Section 218(d)(6) of the Social
20 Security Act, each retirement system covering positions of employees
21 of more than one municipality shall, for the purposes of sections 7-452
22 to 7-455, inclusive, be deemed to constitute a separate retirement
23 system with respect to each municipality having positions covered
24 thereby.

25 (2) The legislative body of any municipality which has a retirement
26 system, whether the system was established by special act or
27 otherwise, may subdivide the system into two parts, each of which
28 parts shall be deemed to constitute a separate retirement system; one
29 part, which shall be known as Part A, shall be composed of positions of
30 members of such system who have not expressed a desire for social
31 security coverage, and the positions covered by such system of
32 individuals who are ineligible to become members of such system; the
33 second part, which shall be known as Part B, shall be composed of the
34 positions of members of such system who have expressed their desire
35 for social security coverage, and the positions of all individuals
36 becoming members of such system after the date social security
37 coverage is extended. Whenever the legislative body of a municipality
38 has authorized the subdivision of its retirement system in this manner,
39 the Governor shall authorize a vote among the members of such
40 system on the question of whether they wish to be covered under an
41 agreement under sections 7-452 to 7-455, inclusive. The Governor shall
42 designate the commission to supervise the conduct of such vote in
43 accordance with the requirements of Section 218(d)(7) of the Social
44 Security Act. For purposes of such vote, an individual in a position to
45 which an agreement under sections 7-452 to 7-455, inclusive, already
46 applies or in a position excluded pursuant to Section 218(d)(5) of the
47 Social Security Act shall not be considered a member of the retirement
48 system with respect to which the vote is being conducted. For the
49 purposes of such vote and of coverage under the system, an individual
50 who is in a position covered by such retirement system and who is not

51 a member thereof, but who is eligible to be such a member, shall be
 52 considered to be such a member, and such coverage shall be obtained
 53 for any such individual to the extent permitted by Section 218(d)(6)(E)
 54 of the Social Security Act. The position of any member of Part A may
 55 be transferred to Part B in the manner and to the extent permitted by
 56 Section 218 of the Social Security Act. Nothing in this part shall be
 57 construed as permitting a referendum among the members of the
 58 Teachers' Retirement Association in accordance with Section 218(d)(3)
 59 of the Social Security Act, or vote of said members in accordance with
 60 Section 218(d)(7) of said act.

61 (3) The notice of referendum or vote required by Section 218(d)(3)(c)
 62 or Section 218(d)(7) of the Social Security Act, as the case may be, to be
 63 given to employees shall contain or shall be accompanied by a
 64 statement, in such form and such detail as the commission deems
 65 necessary and sufficient, to inform the employees of the rights which
 66 will accrue to them and their dependents and survivors, and the
 67 liabilities to which they shall be subject, if their services are included
 68 under an agreement under sections 7-452 to 7-455, inclusive. Upon
 69 receiving evidence satisfactory to him that the conditions of Section
 70 218(d)(3) of the Social Security Act have been met with respect to a
 71 referendum or the conditions of Section 218(d)(1) have been met with
 72 respect to a vote, the Governor shall so certify to the Secretary.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-455

PS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill does not result in a fiscal impact to the state or municipalities. The bill expressly authorizes the referendum necessary to receive federal approval for Medicare coverage for certain police officers and fire fighters hired before March 1, 1986.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**HB 6596*****AN ACT CONCERNING POLICE OFFICERS AND FIREFIGHTERS.*****SUMMARY:**

This bill complies with the federal Social Security Act's (SSA § 218(d)(2)) requirements for extending Medicare coverage to members of municipal police and fire departments who (1) became municipal employees before April 1, 1986, and (2) have been continuously working since March 31 of that year or earlier as police officers or firefighters in positions covered by a public retirement system. Consistent with the SSA, the bill requires the governor to authorize a coverage referendum of affected employees upon request of the municipality's legislative body.

The bill specifies that the referendum question be:

Whether service of individuals in policemen's or firemen's positions covered by a retirement system established by the state or a municipality who have been in continuous employment with a municipality since prior to April 1, 1986 should be excluded from or included under an agreement under sections 7-452 to 7-455, inclusive for purposes of health insurance coverage under Title XVIII of the Social Security Act (Medicare).

CGS §§ 7-452 to 7-455 refer to the state law governing Medicare coverage agreements.

The referendum must be supervised by the State Retirement Commission, which has similar responsibilities for other referenda.

EFFECTIVE DATE: Upon passage

BACKGROUND

Medicare Coverage for Municipal Police and Firefighters

In most cases, Medicare coverage is available for municipal police and firefighters hired after March 31, 1986. But those hired earlier are eligible only by agreement among the state, municipality, and Social Security Administration. To obtain federal approval, a majority of affected employees must have voted in favor of coverage at a state-supervised referendum expressly authorized by state law.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 24 Nay 0 (03/21/2013)