



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 6, 2013

Madam Speaker:

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 30**, LINE-OF-DUTY DEATH AND DISABILITY AMENDMENTS, by Representative R. Menlove, with the following amendments:

1. *Page 3, Lines 83 through 86:*

83 (b) "Line-of-duty death" does not include a death that:
84 (i) occurs during an activity that is required as an act of duty as a public safety
 service
85 employee if the activity is not **a** strenuous **activity** , including an activity that is
 clerical, administrative, or
86 of a nonmanual nature;

2. *Page 4, Lines 106 through 109:*

106 who performs public safety service under this chapter. =
 (7) (a) "Strenuous activity" means engagement involving a difficult, stressful, or
 vigorous fire suppression, rescue, hazardous material response, emergency
 medical service, physical law enforcement, prison security, disaster relief, or
 other emergency response activity.
 (b) "Strenuous activity" includes participating in a participating employer
 sanctioned and funded training exercise that involves difficult, stressful, or
 vigorous physical activity.
107 {~~7~~} (8) "System" means the Public Safety Contributory Retirement

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System created under
108 this chapter.
109 ~~{(8)}~~ (9) "Years of service credit" means the number of periods, each to
consist of 12 full

3. Page 6, Lines 153 through 156:

153 (b) "Line-of-duty death" does not include a death that:
154 (i) occurs during an activity that is required as an act of duty as a public safety
service
155 employee if the activity is not a strenuous activity, including an activity that is
clerical, administrative, or
156 of a nonmanual nature;

4. Page 6, Lines 174 through 177:

174 who performs public safety service under this chapter. =
(7) (a) "Strenuous activity" means engagement involving a difficult, stressful, or
vigorous fire suppression, rescue, hazardous material response, emergency medical
service, physical law enforcement, prison security, disaster relief, or other emergency
response activity.
(b) "Strenuous activity" includes participating in a participating employer
sanctioned and funded training exercise that involves difficult, stressful, or vigorous
physical activity.
175 ~~{(7)}~~ (8) "System" means the Public Safety Noncontributory Retirement
System created
176 under this chapter.
177 ~~{(8)}~~ (9) "Years of service credit" means the number of periods, each to
consist of 12 full

5. Page 9, Lines 246 through 248:

246 (i) occurs during an activity that is required as an act of duty as a firefighter service
247 employee if the activity is not a strenuous activity, including an activity that is
clerical, administrative, or



248 of a nonmanual nature;

6. *Page 9, Lines 260 through 262:*

260 employment per year. =

(9) (a) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous fire suppression, rescue, hazardous material response, emergency medical service, physical law enforcement, prison security, disaster relief, or other emergency response activity.

(b) "Strenuous activity" includes participating in a participating employer sanctioned and funded training exercise that involves difficult, stressful, or vigorous physical activity.

261 {~~(9)~~} (10) "System" means the Firefighters' Retirement System created under this chapter.

262 {~~(10)~~} (11) (a) "Volunteer firefighter" means any individual that is not regularly employed as

7. *Page 9, Lines 268 through 269:*

268 (b) An individual that volunteers assistance but does not meet the requirements of

269 Subsection {~~(10)~~} (11) (a) is not a volunteer firefighter for purposes of this chapter.

8. *Page 10, Lines 303 through 305:*

303 (A) occurs during an activity that is required as an act of duty as an employee if the

304 activity is not a strenuous activity, including an activity that is clerical, administrative, or of a nonmanual

305 nature contributes to the employee's death;

9. *Page 11, Line 309:*

309 (D) occurs in a manner other than as described in Subsection (1)(b)(i). =

= (c) (i) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous fire suppression, rescue, hazardous material response,

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emergency medical service, physical law enforcement, prison security, disaster relief, or other emergency response activity.

(ii) "Strenuous activity" includes participating in a participating employer sanctioned and funded training exercise that involves difficult, stressful, or vigorous physical activity.

10. Page 13, Lines 382 through 384:

382 (i) occurs during an activity that is required as an act of duty as a public safety
service
383 or firefighter service employee if the activity is not a strenuous activity, including
an activity that is
384 clerical, administrative, or of a nonmanual nature;

11. Page 14, Lines 406 through 409:

406 employer who performs public safety service under this chapter. =
(10) (a) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous fire suppression, rescue, hazardous material response, emergency medical service, physical law enforcement, prison security, disaster relief, or other emergency response activity.
(b) "Strenuous activity" includes participating in a participating employer sanctioned and funded training exercise that involves difficult, stressful, or vigorous physical activity.
407 [~~(9)~~] {~~(10)~~} (11) "System" means the New Public Safety and Firefighter
Tier II Contributory
408 Retirement System created under this chapter.
409 [~~(10)~~] {~~(11)~~} (12) (a) "Volunteer firefighter" means any individual that is
not regularly

12. Page 14, Lines 415 through 417:

415 (b) An individual that volunteers assistance but does not meet the requirements of
416 Subsection [~~(10)~~] {~~(11)~~} (12) (a) is not a volunteer firefighter for purposes of this
chapter.

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417 [~~(11)~~] {~~(12)~~} (13) "Years of service credit" means:

13. Page 15, Lines 442 through 444:

442 (c) Each volunteer fire department shall maintain a current roll of all volunteer
443 firefighters which meet the requirements of Subsection
444 49-23-102[~~(10)~~] {~~(11)~~} (12) to determine the
eligibility for this benefit.

Respectfully,

Kraig Powell
Committee Chair

Voting: 9-0-0

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