

ALASKA MUNICIPAL LEAGUE ADOPTED RESOLUTIONS

Resolution #2023-07

A resolution to support full funding of State-directed presumptions of liability, including the consideration of a Trust to support local government employers impacted thereby.

WHEREAS, according to AS 23.30.121 compensation is required for disability as a result of the diseases described in section (b) of this statute; and

WHEREAS, the Alaska Municipal League members are the largest employers of these firefighters in Alaska, who are disproportionately affected by these diseases due to the nature of their employment; and

WHEREAS, the majority of their worker's compensation insurance is provided by pooled public insurance entities, for whom even few claims on limited assets may result in destabilization; and

WHEREAS, the presumption of compensability by the State is an unfunded obligation for local governments to bear, and it has been found that a state's presumption of compensability elsewhere in the nation has risked the insurance coverage of those employees; and

WHEREAS, the Alaska Municipal League is strongly supportive of mechanisms that improve and redress the health of all employees, and while health insurance and programs are the correct way to address health inequities and disease, may be supportive of State presumption of compensability to the extent it is funded by the State; and

WHEREAS, the State's presumption of compensability is a clear prioritization by the State of the health of its public safety, a prioritization that should result in appropriate levels of resourcing to match the commitment; and

WHEREAS, the State should provide a reliable funding stream from which to compensate Alaska's public safety professionals and volunteers, and there are models elsewhere to establish a Trust that would fulfill this obligation; and

WHEREAS, the State – in placing a priority on the health and well-being of firefighters – may express that priority by making contributions to a Trust that reflect the potential costs of the presumptions that have been enacted, and

WHEREAS, the State would place funding in a designated fund, or account, for workers compensation claims submitted under AS 23.30.121(b), from which the State would reimburse the individual, employer, or insurance carrier.

NOW, THEREFORE BE IT RESOLVED that the Alaska Municipal League request that the State entrust funds to manage the potential risk associated with these presumptions and join municipal employers in supporting the health and safety of our public safety professionals.

Adopted by the majority of AML members at the Annual Business Meeting, December 9, 2022.