

**MINUTES**  
**SENATE FINANCE COMMITTEE**  
**April 29, 2002**  
**4:22 PM**

**TAPES**

SFC-02 # 80, Side A  
SFC 02 # 80, Side B

**CALL TO ORDER**

Co-Chair Pete Kelly convened the meeting at approximately 4:22 PM.

**PRESENT**

Senator Pete Kelly, Co-Chair  
Senator Dave Donley, Co-Chair  
Senator Jerry Ward, Vice Chair  
Senator Loren Leman  
Senator Gary Wilken  
Senator Alan Austerman  
Senator Lyman Hoffman  
Senator Donald Olson

**Also Attending:** MARY JACKSON, Staff to Senator Torgerson, Chair of the Senate Community and Regional Affairs Committee; MARCO PIGNALBERI, City Manager, City of Haines; DAVID BLACK, Mayor, City of Haines; LUCY HARRELL, Member, Haines Borough Assembly and Haines School Board; WENDY HALL, Staff, Co-Chair Kelly; PATTY WARE, Juvenile Justice Program Manager, Division of Juvenile Justice, Department of Health and Social Services; ROBERT BUTTCANE, Legislative and Administrative Liaison, Division of Juvenile Justice, Department of Health and Social Services; JANET PARKER, Retirement and Benefits Manager, Health Benefits Sections, Division of Retirement and Benefits, Department of Administration; GREG ROTH, Alaska Juvenile Correction Officer Association; KRISTI HELGEN, Juvenile Probation Officer IV, Probation Services, Division of Juvenile Justice, Department of Health and Social Services; ROBERT BUTTCANE, Legislative and Administrative Liaison, Division of Juvenile Justice, Department of Health and Social Services;

**Attending via Teleconference:** From Fairbanks: BERNARD GATEWOOD, Superintendent, Fairbanks Youth Facility, and Alaska Juvenile Correction Officer Association; JEFF RIGA; From Mat-Su: RAY MICHAELSON, Superintendent, Mat-Su Youth Facility, and Member,

Alaska Juvenile Correction Officer Association;

**SUMMARY INFORMATION**

SB 359-MUNICIPAL ORGANIZATION GRANTS

The Committee heard from the sponsor and the local governments of Haines. An amendment was adopted and the bill moved from Committee.

SB 367-PERS BENEFITS FOR JUV INSTIT EMPLOYEES

The Committee heard from the sponsor, the Department of Health and Social Services, the Department of Administration and employees of the Division of Juvenile Justice. An amendment was considered and adopted and the bill was held in Committee.

#SB359

SENATE BILL NO. 359

"An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs."

This was the first hearing for this bill in the Senate Finance Committee.

MARY JACKSON, Staff to Senator John Torgerson, Chair of the Senate Community and Regional Affairs Committee, which sponsored this bill, testified. She spoke of two communities contemplating a consolidation and informed that a review of statute revealed that the proposed consolidation is not eligible to receive organizational grants.

Ms. Jackson stated this legislation would permit the receipt of the organizational grants, with \$200,000 provided in the first fiscal year and an additional \$200,000 in the second year. She compared this to the amounts granted to other entities under existing statute of \$300,000 the first fiscal year, \$200,000 the second fiscal year and \$100,000 the third fiscal year.

Senator Lemman commented that he supported the efforts of the City of Haines and the Haines Borough to consolidate, however, he was unclear why the State of Alaska should pay \$400,000 for this process. He asked what activities must be funded, and whether these expenditures were incurred by the State when other local governments were consolidated, such as the City and Borough of Juneau, the Anchorage Municipality, and the City and Borough of

Sitka, etc. He understood the need for the State to cover certain expenses for areas that were not previously organized to encourage them to organize.

Ms. Jackson answered this legislation is specific for third-class boroughs and that Haines is the only area of the State with this form of government.

Ms. Jackson read from existing statute as follows.

Sec. 29.05.190. Organization grants to boroughs and unified municipalities.

(a) For the purpose of defraying the cost of transition to borough government and to provide for interim governmental operations, each borough or unified municipality incorporated after December 31, 1985, is entitled to organization grants as follows:

...

Senator Lemman asserted there is no information included in the backup information for this legislation indicating the necessity for these expenditures in the Haines situation.

Ms. Jackson stated that the Senate Community and Regional Affairs Committee determined it is important that the organizational grants be offered to third-class boroughs, although in a lesser amount than awarded to unorganized areas.

Senator Lemman asked if this question arose in the Senate Community and Regional Affairs Committee.

Ms. Jackson affirmed the question was posed and it was determined that some amount should be provided. She expressed that budget constraints are the "business" of the Senate Finance Committee.

Senator Lemman supported efforts to encourage the organizing of unorganized communities.

Senator Lemman reiterated the need to understand the reason for expending the State funds. He qualified the expenditure could be justifiable and necessary, but he had no information to prove this.

MARCO PIGNALBERI, City Manager, City of Haines, referenced a handout titled "Outline Estimate of Costs for Consolidation" that details the anticipated costs involved in coordination [copy on file]. He spoke to expenditures made to date for such services as a consultant and legal fees to address litigation on the issue. He noted that the local governments have covered these expenses to

date.

Mr. Pignalberi asked and answered why the State must pay \$400,000 for these expenses, asserting the question instead should be why the State does not appropriate \$600,000 for these efforts because that is the amount currently authorized for newly formed boroughs. He stated that the Local Boundary Commission is unsure why the consolidation is excluded from existing statute. He surmised that in 1985, when third class boroughs were deleted from this portion of statute and the \$600,000 grant provision was added, it was not anticipated that the Haines governments would consolidate.

Mr. Pignalberi stated the \$600,000 grant program is for the purpose of establishing first class city and borough governments. He stressed this process is "part of the constitutional fulfillment" that requires the State to work toward obtaining the least number of governmental entities and the fewest number of tax assessing entities. He asserted this has been the goal of the Haines community since 1998. He spoke of an upcoming election to determine whether the city and borough governments should be consolidated.

Mr. Pignalberi noted a cost benefit to the State from this consolidation in that of one less applicant would be requesting state grant funds in the future.

Mr. Pignalberi also stressed the new city and borough would provide a stronger local government.

Mr. Pignalberi also pointed out a stipulation in the Alaska Administrative Code requiring that consolidations must be completed within two years. He asserted this could not be accomplished within the deadline without the services of a contracted consultant.

Senator Ward asked the consequence if the State does not provide the requested \$400,000 in grant funding.

DAVID BLACK, Mayor, City of Haines, surmised the city would continue its efforts for consolidation. However, he cautioned that the anticipation that borough residents would incur increased costs could provide the incentive for those voters to not support consolidation. He informed of a recent election in which the question to consolidate failed by two votes. He surmised the proponents of the consolidation "are working in a very narrow margin."

Senator Ward asked if the election included both city and borough residents.

Mr. Black affirmed.

LUCY HARRELL, Member, Haines Borough Assembly and Haines School Board testified to comments she has heard indicating that receiving funding for this transition could be the "crucial" influence to convince voters to approve the consolidation.

Ms. Harrell reminded that the current Haines Borough is a third class borough and therefore its authority is limited to taxation and school operation. She stated that current activities are being conducted by the Borough assembly "in gray areas" of its authorization. As a result, she stressed, it is difficult to convince residents to run for public office, given the questionable legalities of their actions as a government. She told of the few people holding multiple offices. She asserted the intent to create a government that "represents all people in the area."

Ms. Harrell spoke to the unfairness of providing grant funding for other organizational efforts while excluding the Haines government. She asserted the Haines consolidation would require both the formation of a new government and the dissolution of the existing system.

Amendment #1: This amendment inserts language into the title of the bill, following "boroughs", to read as follows.

An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs; and relating to identification by the Local Boundary Commission of areas that meet the standards for borough incorporation.

This amendment also adds a new bill section on page 2, following line 2, to read as follows.

Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to read:

REVIEW OF UNORGANIZED BOROUGH. The Local Boundary Commission shall review conditions in the unorganized borough. By the 10<sup>th</sup> day of the First Regular Session of the Twenty-Third Alaska State Legislature, the commission shall report to the legislature the areas it has identified that meet the standards for borough incorporation and the basis for its determination, and make recommendations for legislative consideration.

Senator Wilken moved for adoption.

Senator Austerman objected for an explanation.

Senator Wilken stated this amendment instructs the Local Boundary Commission to identify those areas where organization into a local government is feasible. He recalled past unsuccessful efforts in this matter and assured this amendment was drafted with the assistance of the chair of the Local Boundary Commission. He emphasized it is not his intent to slow the process of passage of this legislation. However, he stressed the matter requires "serious consideration" and that he did not anticipate any member of the legislature opposing the identification of "those areas that are able to help themselves."

Senator Austerman commented he also did not want to hamper efforts in passage of this bill, although he wanted input from the sponsor.

Senator Wilken assured that if the sponsor indicated opposition to this amendment, he would remove it at a later date.

Ms. Jackson agreed Senator Torgerson has supported these efforts in the past. She qualified he could have concerns if a fiscal note were generated.

Senator Hoffman commented that it is "highly probable" this amendment "drastically slow down and possibly kill this legislation."

Senator Austerman asked if legislation has been introduced in the House of Representatives that addresses grant funding for the Haines government as well.

Co-Chair Kelly replied such a bill does exist.

Senator Austerman removed his objection to adoption of the amendment.

The amendment was ADOPTED without objection.

Senator Ward asked for clarification of the outline of estimated costs handout. He questioned the amount that must be spent during the first year of consolidation rather than deferred to the second year.

Mr. Pignalberi stressed the need to undertake the process as quickly as possible. He stated all expenditures would not be known until the process is underway. He expressed intent to accomplish the consolidation in one year, and noted statute requires completion in two years.

Senator Ward asked for an explanation of the "litigation contingency."

Mr. Pignalberi told of the previous attempt for consolidation undertaken in 1998 and a subsequent lawsuit involving a utility operating within the city. He informed he has been told that those parties opposing consolidation would attempt to identify issues whereby a lawsuit could be brought to stop the efforts. He noted an on-going legal dispute relating to consolidation regarding a service area has incurred \$25,000 in expenses.

Senator Ward asked what would occur if this bill passed into law yet the Haines voters rejected the consolidation proposal.

Mr. Pignalberi noted the Haines government would not receive the funds. However, he indicated that the efforts to consolidate would be repeated.

Senator Ward questioned the manner in which the grants would be appropriated.

Mr. Pignalberi explained that the funds would be appropriated for the fiscal year in which they would be expended.

Mr. Pignalberi spoke to past grant appropriations for other newly incorporated boroughs and surmised that the Haines consolidation process could be completed in one year if the funds were provided immediately. He detailed the timeline of conducting the elections to consolidate and choose new assembly members.

Senator Leman referenced the aforementioned handout, which he totaled at a maximum of \$420,000 in grant funding. However, he pointed out the language of the legislation states "for the purposes of defraying the cost of transition." He remarked this appropriation would cover the entire identified cost, rather than just defray the cost.

Mr. Pignalberi disagreed and listed expenditures the city has paid to date including consulting fees and litigation settlement costs. He stated the handout identifies "broad categories of costs here that are not meant to be detailed because we have no one available to us who has gone through this before." He noted the city's auditors have provided the estimates listed in the handout.

Senator Leman stated the legislature as recently as 1994 has stated, "these grants don't apply to a borough incorporated by consolidation or to a unified municipality." He stressed the intent

is for local governments to consolidate to form boroughs, and expressed the situation in the community of Haines is different.

Mr. Pignalberi reiterated the purpose of the Haines effort is to fulfill the Alaska constitutional requirement to create the least number of government units and taxation jurisdictions and the most effective local government. He again referred to the Local Boundary Commission's assertion that this effort should be funded. He remarked, "It's hard to make a template" to fit "every situation around the State and fit it fairly." He pointed to efforts in the City of Skagway to form a borough government and stressed that community would be eligible to receive \$600,000 in grant funding for the effort.

Senator Lemman agreed the grant funds would be available if the areas considered for consolidation into a borough if the Local Boundary Commission determined the efforts to be feasible. He suggested Haines, Skagway, Gustavus and Tenakee Springs could be consolidated into one borough. He did not support funding a change of the City of Skagway to become the Borough of Skagway.

Mr. Pignalberi expressed he could only comment on the issue of the Haines governments.

Mr. Pignalberi again spoke of the \$1 to \$2 million State funds that would be saved within ten years as a result of a Haines consolidation because the City of Haines would no longer exist and therefore be eligible to receive capital improvement project (CIP) grants.

Ms. Harrell, commented that a third class borough is not "a borough as you understand it" but is rather a "sick dinosaur" with the intention of avoiding forming a borough government and therefore must be "put to rest".

Senator Lemman did not oppose this argument, but stressed that based on the information provided to the Committee, the State would provide all the transitional costs as opposed to sharing the cost with the local government.

Ms. Harrell responded \$400,000 would not pay all the transitional costs. She noted the borough is responsible for school operations and stressed that a third class borough is prohibited from deferring funds from school expenses to use for consolidation efforts. She listed political activities and economic development as activities the third class borough is prohibited from participation. She stated this appropriation would not pay the entire cost of consolidation, but only "a chunk".

Senator Wilken moved "to report SB 359 as amended from Committee with individual recommendations and attached fiscal note."

There was no objection and CS SB 359 (FIN) MOVED from Committee with a \$250,000 forthcoming fiscal note from the Department of Community and Economic Development.

#SB367

SENATE BILL NO. 367

"An Act relating to retirement contributions and benefits under the public employees' retirement system of certain juvenile detention employees and juvenile correctional institution employees."

This was the first hearing for this bill in the Senate Finance Committee.

WENDY HALL, Staff to Co-Chair Kelly, testified that this bill was introduced as an effort to help recognize those individuals who serve as juvenile officers throughout the State. Currently, She said, Alaska statute provides that peace officers and fire fighters are entitled to a 20-year retirement service system while juvenile officers participate in a 30-year retirement system. She stated that this bill would add juvenile officers to the statute governing the retirement system of peace officers and fire fighters.

PATTY WARE, Juvenile Justice Program Manager and Acting Director, Division of Juvenile Justice, Department of Health and Social Services, testified and read letter of support from George Buhite, Director of the Division of Juvenile Justice, dated April 29, 2002, into the record as follows [copy on file].

I want to thank you, the members of the Senate Finance Committee and the Alaska Legislature for your support of the Division of Juvenile Justice. Because of this support, we are able to provide the people of the state with a wide range of restorative justice services in which we hold juvenile offenders accountable, work to repair the harm to those impacted by juvenile crime and provide offenders and their families with opportunities to develop new skills to be productive and contributing members of our schools and communities.

Over the past several years, the Legislature has funded the construction and operation of our juvenile correctional

facilities in support of the public safety component of the Division's restorative justice mission. But buildings in and of themselves do not make our communities safer and our offenders better equipped to change their behaviors. Ultimately, it is the people who staff these facilities who are responsible for the positive outcomes that flow to victims and communities. It is our staff who guard, control and confront the most hardened juvenile offenders, who guide parents to better understanding and more effective methods of regulating their child's life, who provide those impacted by juvenile crime with information and opportunities to engage with a system that strives to right the wrongs done to victims and communities. These people, these staff members, are what make the difference in the end.

I genuinely appreciate the support that you have shown [the Division] in providing the means to expand our bed capacity throughout Alaska. Today, [I] am asking you to support those who work on behalf of our youth, our families, our victims and our communities by considering and passing SB 367.

This legislation addresses a long standing inequity and would give our youth counselors the same benefit now available to each of the other correctional job classes in Alaska's adult and juvenile systems. I urge you to pass SB 367 and again appreciate all that you have done in support of our juvenile justice system.

Senator Wilken cited page 3 line 25 of the bill, "...a juvenile detention or juvenile correctional facility..." and asked if these facilities are defined elsewhere.

Ms. Ware responded that juvenile detention and juvenile correctional facility are defined in AS 47.14. She noted this bill does not apply to any municipally funded or operated facility, but rather only to State facilities.

Senator Wilken understood, but voiced concern that this statute could be expanded to juvenile halfway houses or other juvenile facilities in the future.

ROBERT BUTTCANE, Legislative and Administrative Liaison, Division of Juvenile Justice, Department of Health and Social Services, assured that statutory language is specific as to what constitutes a juvenile detention facility.

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Mr. Buttane agreed with Senator Wilken that it is important to be mindful to avoid a reinterpreted definition of juvenile detention facilities in a manner not intended.

Senator Ward asked what other states provide for a 20-year requirement system for juvenile justice correctional officers.

Mr. Buttane replied that he had researched the matter and learned there is no consistency. He noted that counties rather than states administer most juvenile systems. Therefore, he was unable to make an accurate comparison.

Senator Ward understood a national organization of juvenile justice correctional officers exists. He surmised this group would have records of this.

Mr. Buttane responded that the Division made inquiries of the American Probation and Parole Association and the American Corrections Association and both responded they do not track retirement systems and referred him to individuals.

Senator Ward asked if any other state offers a 20-year retirement system.

Mr. Buttane did not know.

Senator Leman asked if a fiscal note is available.

Co-Chair Kelly informed that a fiscal note had not been submitted for this legislation to date.

Senator Leman noted other discussions entailed that employees pay the full actuarial costs of an earlier retirement and asked if such a method is proposed for this legislation as well.

Mr. Buttane reminded that this request has been before the Legislature for the past 12 years. He recalled the most recent scenario provided that the participating employee would incur responsibility for the entire debt. However, he pointed out that the potential benefit is "impractical" for certain employees including police dispatchers, none of whom have opted to participate because the indebtedness to the employee would be "several tens of thousands of dollars". He shared that the Division had an opportunity to include its employees in that plan but determined it would not be practical as well as being a "parody issue" in that other correctional officers are not required to

incur the expenses. He stressed the employees who work with juvenile delinquents face the same dangers as adult correctional officers.

JANET PARKER, Retirement and Benefits Manager, Health Benefits Sections, Division of Retirement and Benefits, Department of Administration, testified the bill would have an indeterminate cost to the State and an actuarial cost to the participating employees. She explained the employees would be eligible to claim service retroactive to their date of hire with their indebtedness being the difference in the amount of contribution to the retirement system for the previous years of service. She added that the State would pay the remainder of the actuarial cost. She informed that approximately 240 employees would qualify under this system and the total cost would be \$7.2 million with a State rate contribution increase of .0014 percent. She calculated the annual State expense at less than \$900,000 and that \$428,000 of this amount would be charged to the general fund.

Senator Ward asked of the 240 employees, how many had served 15 to 20 years.

Mr. Buttane replied that approximately 46 employees were hired before 1986 and are covered under the Tier I retirement system. He noted these employees have served between 12 and 23 years. The remaining employees, he said, have served less than 12 years.

Senator Austerman referred to page 2 of the fiscal note and asked if the \$428,000 amount charged to general funds would be an annual cost.

Ms. Parker affirmed.

Mr. Buttane qualified that the .14 percent rate could be paid from the Department's budget without an additional appropriation necessary. He noted that additional expenses resulting from unemployment insurance rates increases and employee leave cash-ins are absorbed as well.

Mr. Buttane cited that approximately 65 percent of employees do not remain in this field until retirement. He detailed the high stress and necessary dedication to young people and expressed that the 35 percent who remain in the field for 12 or more years are "genuinely committed". Therefore, he predicted the cost assumptions might not "bear true", thus the indeterminate fiscal note.

Senator Hoffman asked about hazardous duties incidents of the previous five years.

Mr. Buttane detailed a number of serious and significant incidences where officers were strangled, bitten, kicked, and otherwise attacked. He assured these are not daily occurrences, but emphasized that smaller incidents are common. He noted workers compensation claims have decreased from approximately \$400,000 in 1997, due to increased training efforts, additional staff and reduced overcrowding. He pointed out the youth facility staff do not have access to many implements utilized in adult correctional facilities, including clubs, etc.

Senator Ward asserted this legislation would allow trained senior officials to retire early and subsequently reduce the number of qualified staff.

Mr. Buttane replied the Division anticipates this legislation would encourage employees to stay longer than the average ten years currently served and therefore increase retention. He admitted some who might have worked 30 years would chose to retire sooner, but reiterated testimony given before the House State Affairs Committee, that the mean length of service of employees currently eligible for 20-year retirement, is 22 years. He informed that many employees could not afford to retire at 20 years of service, giving as an example employees who have children in collage at that time. He noted the average annual retirement under this program is \$18,000.

Ms. Parker detailed the approximately 45 percent of salary paid in retirement benefits.

Mr. Buttane reminded that the salaries for youth counselors are between Range 11 and 13, which is relatively low for State employees.

Senator Hoffman asked if were possible to work as a juvenile correction officer for 20 years, work for a fire department for an additional 20 years then retire with two complete retirement packages.

Ms. Parker answered no, that the Public Employees Retirement System (PERS) covers both fields.

GREG ROTH, Alaska Juvenile Correction Officer Association, testified the Association has 240 members who staff seven facilities in the state. He read a statement into the record as follows.

We specifically chose our name, Alaska Juvenile Correction

Officers Association, because it accurately represents what we do in our jobs. The public and job applicants are sometimes confused by our working title of youth counselors. They mistakenly believe that we see kids in offices or by appointment. Nothing could be further from the truth. In fact we provide 24-hour locked correctional care and custody related to the incarceration of people against their will. It also includes all the duties that entails.

Each day in performance of our duties, youth counselors are involved in a chain of custody with other law enforcement professionals across the State. Minors are brought to our youth facilities in handcuffs in the back of police cars. They've been arrested for a crime. They've been brought to our facilities in an angry, agitated or assaultive state. Often times, they are violent or intoxicated. The officers turning these youths over to youth counselors are given weapons, shields, body armor and chemical deterrents in order to deal with these offenders. Youth counselors use their skill, their training and their relationships they've formed with the kids in order to conduct their duties safely.

We also exchange custody of minors between youth counselors and judicial services officers in the court buildings across the street and other facilities around the State. We accept custody from juvenile probation officers out in the field. Often times we assist in those arrests-juvenile probation officers request our assistance in those cases.

Some of our offenders are charged with very serious and violent crimes and may spend 30, 60, 90 days inside our facilities before being transferred to an adult facility. In those cases, we transfer our kids over to adult correction officers. In the meantime, we've held those juveniles the same as adult correctional officers would have held them in their facilities.

In addition to custody transfers, some of our youths stay in our facilities until they are age 20. So we are stuck with housing adults in some of our facilities. That happens every day in the performance of our duties.

Also as mandated by statute, youth counselors make independent arrests in the community in the pursuit of juveniles that have absconded from our facilities or from an escort for a medical or service transport. We in fact make arrests out in the community.

The duties of the youth counselor position require solid training and excellent skill development in handling resistive clients. Peak mental and physical condition is necessary and critical to safely carry out these duties. This bill, SB 367, corrects the inequity regarding the retirement disparity between youth counselors and all other job classes in the chain of custody for offenders that currently exist.

The bottom line is that each and every day, youth counselors put their lives on the line to keep Alaska safe and improve public protection through the safe incarceration and rehabilitation of juvenile offenders. Alaska Juvenile Correctional Officers Association appreciates your time and your consideration in support of this legislation.

Senator Ward reposed his question of whether other states provide a 20-year retirement for youth counselors.

Mr. Roth repeated earlier responses that counties and municipalities in most states operate youth counselor operations. He added that with the exception of Anchorage, most municipalities in Alaska could not afford to operate juvenile correctional facilities.

Senator Ward asked of a municipality that offers a 20-year retirement to youth correctional officers.

Mr. Roth replied that many juvenile detention facilities are operated by the county sheriff system, many of which are covered under a 20-year retirement system.

Senator Ward noted sheriff deputies are trained and licensed to carry firearms and to perform other duties. He asked if other employees who provide the same duties as the youth counselors in Alaska receive a 20-year retirement. He expressed he would not support this legislation because he has seen no evidence of other programs offering a 20-year retirement system. He indicated his research in the matter has shown that most juvenile correction officers qualify for a 30-year retirement system.

KRISTI HELGEN, Juvenile Probation Officer IV, Probation Services, Division of Juvenile Justice, Department of Health and Social Services, testified about the inclusion of juvenile probation officers in the 20-year retirement system. She told of personally petitioning the court on six cases of murder, one case of attempted murder, and numerous felony and/or sexual assaults. She stressed that the youths who committed these serious crimes were all detained at youth facilities under the care of youth counselors.

Ms. Helgen spoke of the dangers faced by youth counselors who must work in continuous direct contact with these juveniles in an effort to carry out the Division's mission of restorative justice. She stated that in addition to being responsible for protecting the public by guarding these youth, youth counselors work with these youth to hold them accountable for their actions, repair the harm to victims and community, and assist youth in the development of competencies so that they may be better citizens once released to the community.

Ms. Helgen noted that as a juvenile probation officer, she could request assistance from law enforcement when concerned for her personal safety; however youth counselors do not have this option. She relayed incidences in Bethel where youth counselors have suffered injury. She expressed that as a "have", who benefits from the 20-year retirement system, she is embarrassed to work with the "have-nots", the youth counselors who do not receive this benefit.

BERNARD GATEWOOD, Superintendent, Fairbanks Youth Facility, and Alaska Juvenile Correction Officer Association, testified via teleconference from Fairbanks to encourage support for this legislation. He stated this would correct an inequity and spoke to the "misnomer" of the title "youth counselor" as these officers are often the "last line of defense between the Alaska public and some of the most serious juvenile offenders in the correctional system." He detailed the range of counseling services intended to rehabilitate and prevent the offenders from hurting themselves and others.

JEFF RIGA testified via teleconference from Fairbanks to reiterate the previous witness' statement. He added that he has experienced during his 23 years in this occupation, many of the same threats as other youth correction officers.

RAY MICHAELSON, Superintendent, Mat-Su Youth Facility, and Member, Alaska Juvenile Correction Officer Association, testified via teleconference from Palmer about his career experience beginning as a juvenile probation officer in 1990. He talked about the inequity of the 30-year retirement system for youth correction officers compared to the 20-year system applicable for other law enforcement personnel.

[Note: Teleconference quality from this site is poor.]

Senator Wilken referred to earlier discussion relating to the definition of youth facilities and requested Mr. Buttane share information recently discovered.

Mr. Buttane clarified that the definition includes youth facilities operated by municipalities. He suggested amending this bill to specify the 20-year retirement applies only to employees of state-operated facilities to avoid extending provision to municipally operated facilities.

Amendment #1: This amendment clarifies the definition of juvenile officer as it relates to this legislation by specifying employment by the State of Alaska. The amended language in page 3, following line 22 reads as follows.

Sec. 6. AS 39.35.680 is amended by adding a new paragraph to read:

(41) "juvenile officer" means a State of Alaska youth counselor, unit leader, or superintendent in a juvenile detention or juvenile correctional facility operated by the State of Alaska.

Senator Wilken moved for adoption.

The amendment was ADOPTED without objection.

Co-Chair Kelly ordered the bill HELD in Committee.

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**ADJOURNMENT**

Co-Chair Pete Kelly adjourned the meeting at 05:52 PM