

ALASKA LEGISLATURE

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HOUSE and SENATE FINANCE COMMITTEE FILES, 2001 - 2002

is on an employer sponsored long-term disability program, is considered as service if the employee returns or is deemed by the employer to have returned to a designated position within the period of the authorized absence.

22. "Total and permanent disability" means a physical or mental condition that is not an accidental disability, that the local board finds totally and permanently prevents a member from engaging in any gainful employment and that is the direct and proximate result of the member's performance of the member's duty as an employee of a participating employer.

38-882. Corrections officer retirement plan and fund; administration

- A. The corrections officer retirement plan and the corrections officer retirement plan fund are established.
- B. The fund consists of the monies and assets generated by the operation of the retirement plan. The fund shall be used exclusively to pay benefits to and on behalf of members and beneficiaries in accordance with the provisions of this article and to pay the administration, operation and investment expenses of the plan and fund. In no case shall all or any portion of the fund revert or otherwise be paid to an employer.
- C. The fund manager is entitled to administer, manage and operate the plan and fund.

Arizona

38-885. Normal retirement; conditions and pension

(L01, ch 380, sec 12)

A. A member may retire if the member:

1. Files a written application for normal retirement with the plan in the form prescribed by the plan.
2. Ceases to be an employee before the date of retirement.
3. Meets one of the age and service requirements for normal retirement prescribed in subsection B.

B. A member is eligible for a normal retirement pension if the member satisfies one of the following requirements:

1. Is sixty-two years or older and has ten or more years of service.
2. Has twenty years of service or in the case of a dispatcher, twenty-five years.
3. The sum of the member's age and years of credited service equals at least eighty.

C. A member who meets the requirements for a normal retirement pension and who has twenty years or twenty-five years, as applicable, of credited service is entitled to receive a pension that equals fifty per cent of the member's average monthly salary, except that:

1. If the member retires with more than twenty years of credited service the foregoing amount shall be increased by a monthly amount equal to two per cent of the member's average monthly salary multiplied by the number of the member's years of credited service in excess of twenty years, with pro rata increase for any fractional years, except that if a member retires with twenty-five or more years of credited service the foregoing amount shall be increased by a monthly amount equal to two and one-half per cent of the member's average monthly salary multiplied by the number of the member's years of credited service in excess of twenty years, with pro rata increase for any fractional year.

2. If the member retires pursuant to subsection B but has less than twenty years of credited service, the member is entitled to receive a pension equal to the product of:

- (a) Two and one-half per cent of the member's average monthly salary.
- (b) The member's credited service.

D. In no case shall the amount of a member's pension exceed eighty per cent of the member's average monthly salary. Such limitation does not preclude cost-of-living increases granted by the legislature.

ILCS 5

(Text of Section from P.A. 92-257)

Sec. 14-110. Alternative retirement annuity.

(a) Any member who has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 55, and any member who has withdrawn from service with not less than 25 years of eligible creditable service and has attained age 50, regardless of whether the attainment of either of the specified ages occurs while the member is still in service, shall be entitled to receive at the option of the member, in lieu of the regular or minimum retirement annuity, a retirement annuity computed as follows:

(i) for periods of service as a noncovered employee, 2 1/4% of final average compensation for each of the first 10 years of creditable service, 2 1/2% for each year above 10 years to and including 20 years of creditable service, and 2 3/4% for each year of creditable service above 20 years; and

(ii) for periods of eligible creditable service as a covered employee, 1.67% of final average compensation for each of the first 10 years of such service, 1.90% for each of the next 10 years of such service, 2.10% for each year of such service in excess of 20 but not exceeding 30, and 2.30% for each year in excess of 30.

Such annuity shall be subject to a maximum of 75% of final average compensation. These rates shall not be applicable to any service performed by a member as a covered employee which is not eligible creditable service. Service as a covered employee which is not eligible creditable service shall be subject to the rates and provisions of Section 14-108.

(b) For the purpose of this Section, "eligible creditable service" means creditable service resulting from service in one or more of the following positions:

- (1) State policeman;
- (2) fire fighter in the fire protection service of a department;
- (3) air pilot;
- (4) special agent;
- (5) investigator for the Secretary of State;
- (6) conservation police officer;
- (7) investigator for the Department of Revenue;
- (8) security employee of the Department of Human Services;
- (9) Central Management Services security police officer;
- (10) security employee of the Department of Corrections;
- (11) dangerous drugs investigator;
- (12) investigator for the Department of State Police;
- (13) investigator for the Office of the Attorney General;
- (14) controlled substance inspector;
- (15) investigator for the Office of the State's Attorneys

Appellate Prosecutor;

(16) Commerce Commission police officer;

(17) arson investigator;

(18) State highway maintenance worker.

A person employed in one of the positions specified in this subsection is entitled to eligible creditable service for service credit earned under this Article while undergoing the basic police training course approved by the Illinois Law Enforcement Training Standards Board, if completion of that training is required of persons serving in that position. For the purposes of this Code, service during the required basic police training course shall be deemed performance of the duties of the specified position, even though the person is not a sworn peace officer at the time of the training.

(c) For the purposes of this Section:

(1) The term "state policeman" includes any title or position in the Department of State Police that is held by an individual employed under the State Police Act.

(2) The term "fire fighter in the fire protection service of a department" includes all officers in such fire protection service including fire chiefs and assistant fire chiefs.

(3) The term "air pilot" includes any employee whose official job description on file in the Department of Central Management Services, or in the department by which he is employed if that department is not covered by the Personnel Code, states that his principal duty is the operation of aircraft, and who possesses a pilot's license; however, the change in this definition made by this amendatory Act of 1983 shall not operate to exclude any noncovered employee who was an "air pilot" for the purposes of this Section on January 1, 1984.

(4) The term "special agent" means any person who by reason of employment by the Division of Narcotic Control, the Bureau of Investigation or, after July 1, 1977, the Division of Criminal Investigation, the Division of Internal Investigation, the Division of Operations, or any other Division or organizational entity in the Department of State Police is vested by law with duties to maintain public order, investigate violations of the criminal law of this State, enforce the laws of this State, make arrests and recover property. The term "special agent" includes any title or position in the Department of State Police that is held by an individual employed under the State Police Act.

(5) The term "investigator for the Secretary of State" means any person employed by the Office of the Secretary of State and vested with such investigative duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

A person who became employed as an investigator for the

Secretary of State between January 1, 1967 and December 31, 1975, and who has served as such until attainment of age 60, either continuously or with a single break in service of not more than 3 years duration, which break terminated before January 1, 1976, shall be entitled to have his retirement annuity calculated in accordance with subsection (a), notwithstanding that he has less than 20 years of credit for such service.

(6) The term "Conservation Police Officer" means any person employed by the Division of Law Enforcement of the Department of Natural Resources and vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D), and 218(l)(1) of that Act. The term "Conservation Police Officer" includes the positions of Chief Conservation Police Administrator and Assistant Conservation Police Administrator.

(7) The term "investigator for the Department of Revenue" means any person employed by the Department of Revenue and vested with such investigative duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

(8) The term "security employee of the Department of Human Services" means any person employed by the Department of Human Services who is employed at the Chester Mental Health Center and has daily contact with the residents thereof, or who is a mental health police officer. "Mental health police officer" means any person employed by the Department of Human Services in a position pertaining to the Department's mental health and developmental disabilities functions who is vested with such law enforcement duties as render the person ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

(9) "Central Management Services security police officer" means any person employed by the Department of Central Management Services who is vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

(10) The term "security employee of the Department of Corrections" means any employee of the Department of Corrections or the former Department of Personnel, and any member or employee of the Prisoner Review Board, who has daily contact with inmates by working within a correctional facility or who is a parole officer or an employee who has direct contact with committed persons in the performance of his or her job duties.

(11) The term "dangerous drugs investigator" means any person who is employed as such by the Department of Human Services.

(12) The term "investigator for the Department of State

Police" means a person employed by the Department of State Police who is vested under Section 4 of the Narcotic Control Division Abolition Act with such law enforcement powers as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act.

(13) "Investigator for the Office of the Attorney General" means any person who is employed as such by the Office of the Attorney General and is vested with such investigative duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act. For the period before January 1, 1989, the term includes all persons who were employed as investigators by the Office of the Attorney General, without regard to social security status.

(14) "Controlled substance inspector" means any person who is employed as such by the Department of Professional Regulation and is vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and 218(l)(1) of that Act. The term "controlled substance inspector" includes the Program Executive of Enforcement and the Assistant Program Executive of Enforcement.

(15) The term "investigator for the Office of the State's Attorneys Appellate Prosecutor" means a person employed in that capacity on a full time basis under the authority of Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(16) "Commerce Commission police officer" means any person employed by the Illinois Commerce Commission who is vested with such law enforcement duties as render him ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D), and 218(l)(1) of that Act.

(17) "Arson investigator" means any person who is employed as such by the Office of the State Fire Marshal and is vested with such law enforcement duties as render the person ineligible for coverage under the Social Security Act by reason of Sections 218(d)(5)(A), 218(d)(8)(D), and 218(l)(1) of that Act. A person who was employed as an arson investigator on January 1, 1995 and is no longer in service but not yet receiving a retirement annuity may convert his or her creditable service for employment as an arson investigator into eligible creditable service by paying to the System the difference between the employee contributions actually paid for that service and the amounts that would have been contributed if the applicant were contributing at the rate applicable to persons with the same social security status earning eligible creditable service on the date of application.

(18) The term "State highway maintenance worker" means a person who is either of the following:

(i) A person employed on a full-time basis by the

Illinois Department of Transportation in the position of highway maintainer, highway maintenance lead worker, highway maintenance lead/lead worker, heavy construction equipment operator, power shovel operator, or bridge mechanic; and whose principal responsibility is to perform, on the roadway, the actual maintenance necessary to keep the highways that form a part of the State highway system in serviceable condition for vehicular traffic.

(ii) A person employed on a full-time basis by the Illinois State Toll Highway Authority in the position of equipment operator/laborer H-4, equipment operator/laborer H-6, welder H-4, welder H-6, mechanical/electrical H-4, mechanical/electrical H-6, water/sewer H-4, water/sewer H-6, sign maker/hanger H-4, sign maker/hanger H-6, roadway lighting H-4, roadway lighting H-6, structural H-4, structural H-6, painter H-4, or painter H-6; and whose principal responsibility is to perform, on the roadway, the actual maintenance necessary to keep the Authority's tollways in serviceable condition for vehicular traffic.

(d) A security employee of the Department of Corrections, and a security employee of the Department of Human Services who is not a mental health police officer, shall not be eligible for the alternative retirement annuity provided by this Section unless he or she meets the following minimum age and service requirements at the time of retirement:

(i) 25 years of eligible creditable service and age 55; or

(ii) beginning January 1, 1987, 25 years of eligible creditable service and age 54, or 24 years of eligible creditable service and age 55; or

(iii) beginning January 1, 1988, 25 years of eligible creditable service and age 53, or 23 years of eligible creditable service and age 55; or

(iv) beginning January 1, 1989, 25 years of eligible creditable service and age 52, or 22 years of eligible creditable service and age 55; or

(v) beginning January 1, 1990, 25 years of eligible creditable service and age 51, or 21 years of eligible creditable service and age 55; or

(vi) beginning January 1, 1991, 25 years of eligible creditable service and age 50, or 20 years of eligible creditable service and age 55.

Persons who have service credit under Article 16 of this Code for service as a security employee of the Department of Corrections in a position requiring certification as a teacher may count such service toward establishing their eligibility under the service requirements of this Section; but such service may be used only for establishing such

eligibility, and not for the purpose of increasing or calculating any benefit.

(e) If a member enters military service while working in a position in which eligible creditable service may be earned, and returns to State service in the same or another such position, and fulfills in all other respects the conditions prescribed in this Article for credit for military service, such military service shall be credited as eligible creditable service for the purposes of the retirement annuity prescribed in this Section.

(f) For purposes of calculating retirement annuities under this Section, periods of service rendered after December 31, 1968 and before October 1, 1975 as a covered employee in the position of special agent, conservation police officer, mental health police officer, or investigator for the Secretary of State, shall be deemed to have been service as a noncovered employee, provided that the employee pays to the System prior to retirement an amount equal to (1) the difference between the employee contributions that would have been required for such service as a noncovered employee, and the amount of employee contributions actually paid, plus (2) if payment is made after July 31, 1987, regular interest on the amount specified in item (1) from the date of service to the date of payment.

For purposes of calculating retirement annuities under this Section, periods of service rendered after December 31, 1968 and before January 1, 1982 as a covered employee in the position of investigator for the Department of Revenue shall be deemed to have been service as a noncovered employee, provided that the employee pays to the System prior to retirement an amount equal to (1) the difference between the employee contributions that would have been required for such service as a noncovered employee, and the amount of employee contributions actually paid, plus (2) if payment is made after January 1, 1990, regular interest on the amount specified in item (1) from the date of service to the date of payment.

(g) A State policeman may elect, not later than January 1, 1990, to establish eligible creditable service for up to 10 years of his service as a policeman under Article 3, by filing a written election with the Board, accompanied by payment of an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.5, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

Subject to the limitation in subsection (i), a State policeman may elect, not later than July 1, 1993, to establish eligible creditable service for up to 10 years of his service as a member of the County Police Department under Article 9, by filing a written election with the

Board, accompanied by payment of an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 9-121.10 and the amounts that would have been contributed had those contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

(h) Subject to the limitation in subsection (i), a State policeman or investigator for the Secretary of State may elect to establish eligible creditable service for up to 12 years of his service as a policeman under Article 5, by filing a written election with the Board on or before January 31, 1992, and paying to the System by January 31, 1994 an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 5-236, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

Subject to the limitation in subsection (i), a State policeman, conservation police officer, or investigator for the Secretary of State may elect to establish eligible creditable service for up to 10 years of service as a sheriff's law enforcement employee under Article 7, by filing a written election with the Board on or before January 31, 1993, and paying to the System by January 31, 1994 an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 7-139.7, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

(i) The total amount of eligible creditable service established by any person under subsections (g), (h), (j), (k), and (l) of this Section shall not exceed 12 years.

(j) Subject to the limitation in subsection (i), an investigator for the Office of the State's Attorneys Appellate Prosecutor or a controlled substance inspector may elect to establish eligible creditable service for up to 10 years of his service as a policeman under Article 3 or a sheriff's law enforcement employee under Article 7, by filing a written election with the Board, accompanied by payment of an amount to be determined by the Board, equal to (1) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.6 or 7-139.8, and the amounts that would have been contributed had such contributions been made at the rates applicable to State policemen, plus (2) interest thereon at the effective rate for each year, compounded annually, from the date of

service to the date of payment.

(k) Subject to the limitation in subsection (i) of this Section, an alternative formula employee may elect to establish eligible creditable service for periods spent as a full-time law enforcement officer or full-time corrections officer employed by the federal government or by a state or local government located outside of Illinois, for which credit is not held in any other public employee pension fund or retirement system. To obtain this credit, the applicant must file a written application with the Board by March 31, 1998, accompanied by evidence of eligibility acceptable to the Board and payment of an amount to be determined by the Board, equal to (1) employee contributions for the credit being established, based upon the applicant's salary on the first day as an alternative formula employee after the employment for which credit is being established and the rates then applicable to alternative formula employees, plus (2) an amount determined by the Board to be the employer's normal cost of the benefits accrued for the credit being established, plus (3) regular interest on the amounts in items (1) and (2) from the first day as an alternative formula employee after the employment for which credit is being established to the date of payment.

(l) Subject to the limitation in subsection (i), a security employee of the Department of Corrections may elect, not later than July 1, 1998, to establish eligible creditable service for up to 10 years of his or her service as a policeman under Article 3, by filing a written election with the Board, accompanied by payment of an amount to be determined by the Board, equal to (i) the difference between the amount of employee and employer contributions transferred to the System under Section 3-110.5, and the amounts that would have been contributed had such contributions been made at the rates applicable to security employees of the Department of Corrections, plus (ii) interest thereon at the effective rate for each year, compounded annually, from the date of service to the date of payment.

(Source: P.A. 90-32, eff. 6-27-97; 91-357, eff. 7-29-99; 91-760, eff. 1-1-01; 92-257, eff. 8-6-01.)

Louisiana

PART IV. RETIREMENT AND RETIREMENT BENEFITS

SUBPART A. REGULAR RETIREMENT

§441. Eligibility for retirement

A. Any member shall be eligible for retirement if he has:

(1) Thirty years or more of service, at any age.

(2) Twenty-five years or more of service, at age fifty-five or thereafter.

(3) Ten years or more of service, at age sixty or thereafter.

(4) Twenty years of service credit at any age, exclusive of military service and unused annual and sick leave, but any person retiring under this Paragraph shall have his benefit, inclusive of military service credit and allowable unused annual and sick leave, actuarially reduced from the earliest age that he would normally become eligible for a regular retirement benefit under Paragraph (1), (2), or (3) of this Subsection, if he had continued in service to that age. Any employee who elects to retire under the provisions of this Paragraph shall not be eligible to participate in the Deferred Retirement Option Plan or the Initial Benefit Option provided by R.S. 11:446(A)(5).

B. For purposes of acquiring eligibility for regular retirement, disability retirement and survivor's benefits only, a part-time employee shall count every year in which he works on a part-time basis for at least eleven months as a full year of retirement credit but for eligibility only.

C. Retirement eligibility shall not be cancelled after it is earned except by refund requested by the member.

D.(1) Notwithstanding the provisions of Subsection A hereof, correctional officers and security personnel employed by the Department of Public Safety and Corrections shall be eligible for retirement at any age upon attaining twenty or more years of service, at least ten of which were served immediately prior to application for retirement in a security capacity with the Department of Public Safety and Corrections.

(2) Notwithstanding any other provision to the contrary, in addition to being subject to the foregoing provisions, correctional officers and security personnel employed by the Department of Public Safety and Corrections after August 15, 1986, shall not be able to retire or begin to receive regular benefits until attaining the age of fifty years, regardless of the number of years of service. If a member who becomes employed as a correctional officer or as security personnel after August 15, 1986, has creditable service other than that as a correctional officer or as security personnel, then only two-thirds of that noncorrectional officer or nonsecurity personnel service shall be counted toward meeting the twenty-year service requirement for correctional officers and security personnel.

(3) Notwithstanding any other provision of law to the contrary, effective July 1, 1999, correction officers, probation and parole officers, and security personnel employed by the Department of Public Safety and Corrections shall be eligible for retirement at any age upon attaining twenty-five or more years of service, at least ten of which were served immediately prior to application for retirement in a position with the Department of Public Safety and Corrections.

(4) For purposes of this Subsection, Department of Public Safety and Corrections includes predecessor and successor agencies to such department.

E.(1) Notwithstanding the provisions of Subsection A hereof, probation and parole officers employed by the Department of Public Safety and Corrections shall be eligible for retirement at any age upon attaining twenty or more years of service, at least ten of which were served immediately prior to application for retirement as a probation and parole officer with the Department of Public Safety and Corrections.

(2) Notwithstanding any other provision to the contrary, in addition to being subject to the foregoing provisions probation and parole officers employed by the Department of Public Safety and Corrections after August 15, 1986, shall not be able to retire or begin to receive regular benefits until attaining the age of fifty years, regardless of the number of years of service. If a member who becomes employed as a probation and parole officer after August 15, 1986, has creditable service other than that as a probation and parole officer, then only two-thirds of that nonprobation and parole officer service shall be counted toward meeting the twenty-year minimum service requirement for probation and parole officers.

(3) For purposes of this Subsection, Department of Public Safety and Corrections includes predecessor and successor agencies to such department.

F. Notwithstanding the provisions of Subsection A of this Section or any other provision of law to the contrary, employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development who are members of the system shall be eligible for retirement at any age upon attaining twenty-five or more years of service credit, at least ten of which were served immediately prior to application for retirement in a position with the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development.

Acts 1972, No. 135, § 1, eff. July 26, 1972. Amended by Acts 1975, No. 373, § 1; Acts 1978, No. 67, § 3. Acts 1984, No. 660, § §1-9, eff. July 12, 1984; Acts 1985, No. 796, § 1; Redesignated from R.S. 42:571 by Acts 1991, No. 74, § 3, eff. June 25, 1991; Acts 1995, No. 305, § 1, eff. Dec. 31, 1995; Acts 1995, No. 570, § 1, eff. Jan. 1, 1996; Acts 1997, No. 1277, § 1, eff. July 1, 1997; Acts 1999, No. 1320, § 1, eff. July 12, 1999; Acts 1999, No. 1348, § 1, eff. July 1, 1999; Acts 2001, No. 267, § 1, eff. June 1, 2001; Acts 2001, No. 844, § §1-6, eff. June 26, 2001.

NOTE: SEE ACTS 1984, NO. 660, § §1-9, REGARDING AN EARLY RETIREMENT INCENTIVE PROGRAM.

NOTE: See Acts 2001, No. 884, § §1-6 regarding early retirement and payroll reduction (Early Retirement and Payroll Reduction Act).

Support for HB 248

A synopsis of the hazards encountered by employees of juvenile detention and correctional institutions.

Following are a few examples from facilities around the state that are representative of the situations that youth counselors must be prepared to encounter and respond to on a daily basis.

- A small bomb was detonated outside of a McLaughlin Youth Center Detention window in an attempt to break out an incarcerated resident.
- A young man detained at the Bethel Youth Facility assaulted a detention youth counselor, stabbing him in the back with a pencil, fracturing his jaw and resulting in a partial hearing loss.
- Using a strip of cloth torn from a towel, a detained youth at the McLaughlin Youth Center attacked a youth counselor by wrapping the fabric around her neck and strangling her. He forced her into his cell and down on to his bed, and tried to get her keys away from her. The attack was interrupted and likely serious injury averted when another youth counselor saw what was happening and intervened.
- Fairbanks community youth attempted to gain entry into the Fairbanks Youth Facility with a blow torch to free a youth who was being held in that facility.
- As a consequence of a drive-by shooting on the campus of the McLaughlin Youth Center, a wall was erected to obstruct the view from Providence Drive.
- Two Nome Youth Facility staff had to physically restrain a youth who was intoxicated, combative, suicidal, and seven months pregnant.
- While escorting a youth from the McLaughlin Youth Center, a youth counselor was ambushed and attacked by a relative youth, armed with mace and a samurai sword, who then sprayed the youth counselor with mace and assisted the youth in escaping from custody.
- While physically restraining an out-of-control youth at the Bethel Youth Facility, the youth defecated in her pants, thus exposing the staff members involved to any number of potential infectious agents.
- A 300 pound male resident detained at Johnson Youth Center assaulted staff in an attempt to obtain keys and escape from the facility. The assault resulted in emergency room care, facial contusions, and dental injury.
- During a secure transport of two detained juveniles from the Court House in Palmer, a Mat-Su Youth Facility youth counselor was attacked, choked, and overpowered by the youths, who eventually escaped.
- During the restraint of an out of control 220 pound resident, two McLaughlin Youth Center staff were assaulted. The staff were kicked in the stomach, struck in the head and face, and spit upon by the youth. This resident had Hepatitis C.

During the course of their duties, youth counselors must intervene in fights between residents, they face the risk of being assaulted themselves, and they must endure threats to their well-being and that of their families. Facility staff have experienced the trauma of a resident death by suicide or serious injury by suicide attempt. Youth Counselors routinely transport youth in the community and from one city to another, exposing themselves and the residents to all the potential risks that presents. The youth in our facilities are at high risk for a variety of infectious diseases such as HIV, Hepatitis, and TB, and facility staff face exposure to blood, saliva, and other body fluids. Also significant, but less easily defined, is the unpredictable nature of these potential assaults and exposures. Facility staff must be constantly vigilant to this impulsive and potentially dangerous population to ensure the safety of all residents, themselves and other staff, and the community.

Support for HB 248, Peace Officer/20-Year Retirement for Employees of Juvenile Detention and Correctional Institutions

- An inequity exists within the Public Employees Retirement System pertaining to employees of juvenile correctional facilities. Currently adult correctional officers, adult probation officers, and juvenile probation officers are eligible for 20 year peace officer retirement. Despite being identified peace officers in Alaska Statute, Youth Counselors are excluded from this retirement system.
- The Alaska Statutes address the status of youth counselors as peace officers in AS 47. 2.270 which reads, in part, **"Youth Counselors have the powers of a peace officer with respect to the service of process, the making of arrests of minors who violate state or municipal law, and the execution of orders of the court relating to juveniles, and shall assist and advise the courts in the furtherance of the welfare and control of minors under the court's jurisdiction."**
- In an October, 1998 decision (Arthur Earl WILSON v. State of Alaska, No. A-6396), the Court of Appeals of Alaska addressed the issue of youth counselors as correctional officers in the context of applicability of presumptive sentencing. Wilson attempted escape from McLaughlin Youth Center by strangling a youth counselor, forcing her into a cell, and attempting to gain control of her keys. The assault and escape attempt were interrupted by another youth counselor. The superior court ruled that presumptive sentencing applied because the assault was **"directed at a correctional officer who was engaged in the performance of her duties"**. Wilson challenged this ruling, among others, in his appeal. The State argued that, for purposes of Title 11, McLaughlin is a **"correctional facility"** and it is thus logical to classify the people who supervise McLaughlin inmates as **"correctional officers"**. In affirming the presumptive sentence under the former AS 12.55.125(d)(3), the Court of Appeals found statutory support for the State's argument in AS 47.12.270, and stated that youth counselors are **"...expected to perform duties that are analogous to the duties entrusted to corrections officers at adult institutions"**. Their decision further states that youth counselors **"...are duty-bound to expose themselves to potential assault and duty-bound not to turn away when assault actually occurs. Thus, they are members of the same class of public employees that the legislature wished to protect and vindicate when the legislature enacted former AS 12.55.125(d)(3)."**
- Youth Counselors are responsible for the security, safety, and rehabilitation of a population distinguished by its impulsiveness. They provide life saving first aid in emergency situations such as suicide attempts and self harm behavior by incarcerated youth. Staff are assaulted, they must intervene in physical altercations between residents, they must physically control residents who are attempting to harm themselves or others, and they must protect the public by ensuring that facilities are secure and preventing escapes.
- In 1991, SB 32, which addressed this ongoing inequity in the retirement system, was introduced. It passed the House and the Senate, and was subsequently vetoed by then Governor Hickel. Records from the committee hearings and testimony at that time indicate the consideration of a variety of factors in passing this legislation, including working conditions substantially similar to those in adult correctional facilities, the physical risks faced by employees of juvenile correctional facilities, public safety concerns, the inevitable loss of physical and emotional stamina which occurs with age, and youth counselors as peace officers in the Alaska Statutes.

Support for HB 248, Twenty Year Retirement for Youth Counselors

- There is a long standing inequity in the Public Employees Retirement System. Currently adult correctional officers and superintendents, adult probation officers, and juvenile probation officers are all eligible for 20 year peace officer retirement. Despite being identified peace officers in Alaska Statute 47.12.270 and performing job duties substantially similar to their adult corrections counterparts, youth counselors are excluded from this retirement system.
- The job title "Youth Counselor" is misleading. Youth counselors perform all of the security, custody, and control functions in juvenile detention and correctional facilities. In addition to these functions, youth counselors are responsible for rehabilitation and treatment services for delinquent youth.
- In an Alaska Court of Appeals ruling regarding a youth convicted and sentenced for assaulting a youth counselor in an attempt to escape from McLaughlin Youth Center, the Court states that "the "youth counselors" employed by the Department of Health and Social Services at juvenile institutions like McLaughlin are expected to perform duties that are analogous to the duties entrusted to corrections officers at adult institutions." (WILSON, Jr. v. STATE of Alaska. Oct.23, 1998)
- Youth Counselors are required to complete a minimum of 160 hours of training in their first year of employment. Although there is no formal training "academy" for DJJ employees, youth counselor training includes security procedures, supervision of juveniles, use of force regulations and tactics, suicide precautions, fire and emergency procedures, first aid/CPR, and counseling skills. This training is consistent with standards established by the American Correctional Association.
- Like adult correctional officers, youth counselors are responsible for supervising, controlling, and caring for offenders whose behavior has necessitated secure confinement. Additionally, the youthfulness and immaturity of juvenile offenders often results in a level of impulsive behavior beyond that generally seen in adult populations.
- Including youth counselors, unit leaders, and superintendents in the peace officer retirement system would be consistent with the benefits afforded similar job classes in adult corrections and juvenile justice, and would correct an existing inequity in the Public Employees Retirement System.

Letters of Support For House Bill #248

1. William Raymond
2. Georgia Cozd
3. David White
4. Patrick Zulkasky
5. Jerry Ivon
6. Steven Kiefer
7. Jeff Rigo
8. Eric Kuntz
9. John Dehner
10. Mary Mitchell
11. James Klaich
12. Leigh Rovzar
13. Samuel Green
14. Tim Oney
15. Shawn Lundgren
16. Rayman Stith
17. Arthur Konefal
18. Jeffrey Rentzel
19. Lisa Drew
20. Maya Adepoju
21. Doug Bergener
22. Curtis Harris
23. Vance Canoy
24. Kevin Milles
25. Shawn Marsh
26. Albert Phelan
27. Frederic Brown
28. Bob Fedoroff
29. James Klaich

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

William P. Raymond Jr.
659 East Eklutna
Palmer, AK 99645

Dear Rep. Williams,

I would like to take this opportunity to thank you for sponsoring House Bill 248 that places the Youth Counselor series employees of the Division of Juvenile Justice into the Peace Officers Retirement System.

I work as a Youth Counselor III in Palmer, Alaska and know first hand the nature of the work performed in the division's facilities. As a former Deputy Sheriff and Chief of Police from New Hampshire I know first hand of the inherent dangers Youth Counselors face daily. A 20-year retirement benefit will go a long way to retain good employees and improve staff morale.

In addition to being a youth facility employee, I am also a member of the Alaska Juvenal Correctional Officers Association (AJCOA), which has been formed to rally support f HB 248. With your leadership in the House on this issue, AJCOA feels confident that HB 248 will have widespread support. Association members will assist in any way possible to ensure the passage of this legislation.

Please feel free to contact me or any other association member regarding HB 248. Thank you again for your support of the Youth Counselor series employees in our youth facilities across the state. I look forward to the opening of the Ketchikan Regional Youth Facility in the very near future.

Sincerely,


William P. Raymond, Jr.

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Dear Rep. Williams,

Just a short note to let you know that I appreciate your sponsorship and support of House Bill 248, that places Youth Counselors into the Peace Officer's Retirement System. I am employed by the Bethel Youth Facility as a School Teacher, and realize that passage of this piece of legislation would finally recognize the nature of the work youth counselors perform with serious juvenile offenders. HB 248 also brings fairness between Youth Counselors and the other employees within the Division of Juvenile Justice, such as Juvenile Probation Officers who are currently in the 20-year system.

Again, thank you for your recognition of Youth Counselors and the work that they do in our youth facilities across the state and soon in your home community of Ketchikan!

Sincerely,

(Signature) (A. J.)

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

David Matthews
P.O. Box 2187
Bethel, Alaska 99559

Dear Rep. Williams,

Thank you very much for your sponsorship of House Bill 248 that places Youth Counselor series employees in the Peace Officer's Retirement System. I am employed by the Division of Juvenile Justice as a Unit Leader, and have recently joined the Alaska Juvenile Correctional Officers Association (AJCOA) to show my support for HB 248.

I have worked for thirteen years in this job class and know full well that entry into a 20-year retirement plan, like most others in my division, will have a profound effect on employee morale and longevity across the state. This includes the new Youth Counselors stationed at the new Ketchikan Youth Facility, which I understand is opening soon.

Please let me know what I can do through AJCOA to help support the passage of HB 248.

Sincerely,

A handwritten signature in black ink, appearing to read "David Matthews", written in a cursive style.

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801- 1182

Patricia Zulkosky
P.O. Box 1237
Bethel Alaska 99559

Dear Rep. Williams,

My name is Patricia Zulkosky and I work for the Division of Juvenile Justice in the Bethel Youth Facility as a Youth Counselor III . I appreciate your sponsorship of House Bill 248 (20-year retirement for Youth Counselors) and hope that it garners support for passage this legislative session and gets placed before the Governor for his signature. I know that you have been supportive of state employee matters in the past and HB 248 is evidence of this continued support. I am confident that HB 248 will benefit the Youth Counselor job class by bringing parity and fairness with the division's other employee classes.

Thank you very much for your leadership and support for 20-year retirement for Youth Counselors in our state's youth facilities.

Sincerely,

Patricia A. Zulkosky

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Jerry Ivon
P.O. Box 2026
Bethel Alaska 99559

Dear Rep. Williams,

My name is Jerry Ivon and I work for the Division of Juvenile Justice in the Bethel Youth Facility as a Youth Counselor II. I appreciate your sponsorship of House Bill 248 (20-year retirement for Youth Counselors) and hope that it garners support for passage this legislative session and gets placed before the Governor for his signature. I know that you have been supportive of state employee matters in the past and HB 248 is evidence of this continued support. I am confident that HB 248 will benefit the Youth Counselor job class by bringing parity and fairness with the division's other employee classes.

Thank you very much for your leadership and support for 20-year retirement for Youth Counselors in our state's youth facilities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Ivon".

01-18-02

Dear Representative Williams,

I want to thank you for your efforts in sponsoring the twenty year retirement bill for Youth Corrections workers. As a Youth Corrections staff for the past twelve years I know how much this means for the moral of all the people I work with in Bethel and elsewhere in the state. I follow the work of the legislature and am amazed at the difficulty of getting bills through the legislative process. We all have unique aspects to our work. I am grateful that a person in your position recognizes what we do.

Thanks again, sincerely,


Steven E. Kiefer

The Honorable Bill Williams
House of Representatives
Alaska State Capitol
Juneau, AK 99801-1182

January 12, 2002

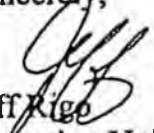
Dear Rep. Williams,

Even though I am not in your district, I wanted to take this opportunity to thank you for your sponsorship of **House Bill 248**, that places Youth Counselors into the Peace Officer's Retirement System.

As a long-term employee who's has been a part of the juvenile justice system for the past 23 years, the passage of this legislation would finally recognize the group of forgotten workers that run our juvenile correctional institutions. **HB 248** also brings fairness between Youth Counselors and the other employees within the Division of Juvenile Justice. The other employees within DJJ, such as Juvenile Probation Officers, have been in the 20year peace officer retirement since about 1990.

Again, thank you for your recognition and support of Youth Counselors and the work that they do in our youth facilities across the state and soon in your home community of Ketchikan!

Sincerely,


Jeff Rigo
Detention Unit Leader,
Fairbanks Youth Facility

Home address:
989 Willow Grouse Rd
Fairbanks, AK 99712.

1-13-02-

Eric Kuntz
POB 85231
FBKS, AK.
99708

Rep Bill Williams
State Capitol Room 511
Juneau, AK.
99801-1182

Dear Representative Williams-

Thank you very much for your sponsorship of House Bill 28. I have worked for the Div. of Juvenile Justice for 13 years as a youth counselor and realize that 20 year retirement is very important. We are getting tougher and meaner delinquents and it is a stressful job. I would like to achieve parity with the Corrections Officers.

Thanks again,
Eric Kuntz

January 9, 2002

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

John Dehner
1238 A Grenue Road
Fairbanks, Ak. 99709

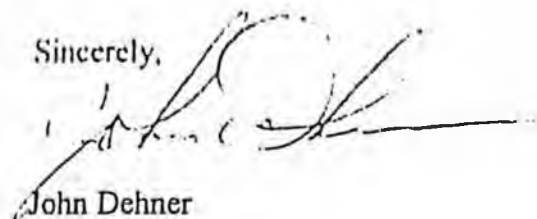
Dear Rep. Williams,

Thank you very much for your sponsorship of House Bill 248 that places Youth Counselor series employees in the Peace Officer's Retirement System. I am employed by the Division of Juvenile Justice as a Youth Counselor and have recently joined the Alaska Juvenile Correctional Officers Association (AJCOA) to show my support for HB 248.

I have worked for ten years in this job class and know full well that entry into a 20-year retirement plan, like most others in my division, will have a profound effect on employee morale and longevity across the state. This includes the new Youth Counselors stationed at the new Ketchikan Youth Facility, which I understand is opening soon.

Please let me know what I can do through AJCOA to help support the passage of HB 248.

Sincerely,



John Dehner

January 12, 2002

Dear Representative Williams

I would like to take this opportunity to thank you for sponsoring House Bill 248 that places the Youth Counselor series employees of the Division of Juvenile Justice into the Peace Officers Retirement System.

I work as a Youth Counselor I in Fairbanks, Alaska and know first hand the nature of the work performed in the division's facilities. A 20-year retirement benefit will go a long way to retain good employees and improve staff morale.

In addition to being a youth facility employee, I am also a member of the Alaska Juvenile Correctional Officers Association (AJCOA), which has been formed to rally support for HB248. With your leadership in the House on this issue, AJCOA feels confident that HB248 will have widespread support. Association members will assist in any way possible to ensure the passage of this legislation.

Please feel free to contact me or any other association member regarding HB 248. Thank you

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

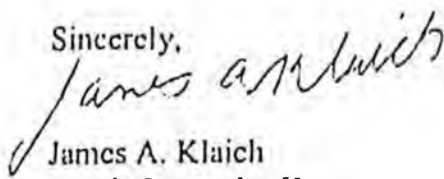
James Klaich
PO Box 74205
Fairbanks, AK 99701
e-mail address: jklaich@gci.net

Dear Rep. Williams,

My name is James Klaich and I work for the Division of Juvenile Justice in the Fairbanks Youth Facility as a Youth Counselor II and Certified Alcohol Drug Counselor for the past 13 years. I appreciate your sponsorship of House Bill 248 (20-year retirement for Youth Counselors) and hope that it garners support for passage this legislative session and gets placed before the Governor for his signature. I know that you have been supportive of state employee matters in the past and HB 248 is evidence of this continued support. I am confident that HB 248 will benefit the Youth Counselor job class by bringing parity and fairness with the division's other employee classes.

Thank you very much for your leadership and support for 20-year retirement for Youth Counselors in our state's youth facilities.

Sincerely,



James A. Klaich
Youth Counselor II
Fairbanks Youth Facility

January 13, 2002

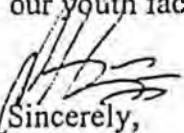
Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Leigh H. Rovzar III
1132 Propwash Drive
Fairbanks, AK 99709

Dear Rep. Williams,

Just a short note to let you know that I appreciate your sponsorship and support of House Bill 248, that places Youth Counselors into the Peace Officer's Retirement System. I am employed by the Fairbanks Youth Facility as a Youth Counselor II, and realize that passage of this piece of legislation would finally recognize the nature of the work I perform with serious Juvenile offenders. HB 248 also brings fairness between Youth Counselors and the other employees within the Division of Juvenile Justice, such as Juvenile Probation Officers who are currently in the 20-Year system.

Again, thank you for your recognition of Youth Counselors and the work that they do in our youth facilities across the state and soon in your home community of Ketchikan!


Sincerely,
Leigh H. Rovzar III

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Sam Green
602 East Bentley Drive
Fairbanks, Alaska 99701

Dear Rep. Williams,

I would like to take this opportunity to thank you for sponsoring House Bill 248 that places the Youth Counselor series employees of the Division of Juvenile Justice into the Peace Officers Retirement System.

I work as a Youth Counselor III in Fairbanks, Alaska and know first hand the nature of the work performed in the division's facilities. A 20-year retirement benefit will go a long way to retain good employees and improve staff morale.

In addition to being a youth facility employee, I am also a member of the Alaska Juvenile Correctional Officers Association (AJCOA), which has been formed to rally support for HB 248. With your leadership in the House on this issue, AJCOA feels confident that HB 248 will have widespread support. Association members will assist in any way possible to ensure the passage of this legislation.

Please feel free to contact me or any other association member regarding HB 248. Thank you again for your support of the Youth Counselor series employees in our youth facilities across the state. I look forward to the opening of the Ketchikan Regional Youth Facility in the very near future.

Sincerely,

A handwritten signature in cursive script that reads "Samuel Green, Jr." The signature is written in dark ink and is positioned below the word "Sincerely,".

1-9-02

Representative Williams.

I would like to take this opportunity to thank you for sponsoring House Bill 248 that places the Youth Counselor series of employees of the Division of Juvenile Justice into the Peace Officers Retirement System.

I work as a Youth Counselor III in Fairbanks, Alaska and have been employed there for over nine years. Working with difficult youth is a very demanding job and requires our staff to be extremely professional in completing their duties. A 20 year retirement benefit will go a long way to retain good employees and improve staff morale.

In addition to being a youth facility employee, I am a member of the Alaska Juvenile Correction Officers Association which has been formed to rally support for HB 248.

Thank you again for your support.

Sincerely

Tim Oney

Youth Counselor III

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Shawn Lundgren
661 Goldmine Trail
Fairbanks, Alaska 99712

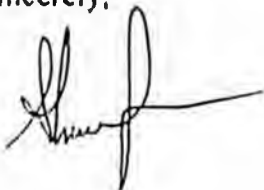
Dear Rep. Williams,

Thank you very much for your sponsorship of House Bill 248 that places Youth Counselor series employees in the Peace Officer's Retirement System. I am employed by the Division of Juvenile Justice as a Youth Counselor III, and have recently joined the Alaska Juvenile Correctional Officers Association (AJCOA) to show my support for HB 248.

I have worked for 10 years in this job class and know full well that entry into a 20-year retirement plan, like most others in my division, will have a profound effect on employee morale and longevity across the state. This includes the new Youth Counselors stationed at the new Ketchikan Youth Facility, which I understand is opening soon.

Please let me know what I can do through AJCOA to help support the passage of HB 248

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Lundgren", with a long horizontal flourish extending to the right.

January 07, 2002

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Rayman E. Stith
3596 Lakeview Drive
Fairbanks, AK 99701

Dear Rep. Williams,

Just a short note to let you know that I appreciate your sponsorship and support of House Bill 248, that places Youth Counselors into the Peace Officer's Retirement System. I am employed by the Fairbanks Youth Facility as a Youth Counselor II, and realize that passage of this piece of legislation would finally recognize the nature of the work I perform with serious Juvenile offenders. HB 248 also brings fairness between Youth Counselors and the other employees within the Division of Juvenile Justice, such as Juvenile Probation Officers who are currently in the 20-Year system.

Again, thank you for your recognition of Youth Counselors and the work that they do in our youth facilities across the state and soon in your home community of Ketchikan!

Sincerely,
Rayman E. Stith

January 7, 2002

Rep. Bill Willison
State Capitol Rm 511
Juneau, AK 99801

975 Willow Grove Rd
Fairbanks, AK 99712

Dear Rep. Willison,

Thank you for sponsoring HB 248 which will place Youth Counselors into the Peace Officer Retirement System.

I have worked as a Youth Counselor supervisor at the Fairbanks Youth Facility for 20 years now and know first hand the nature of the work performed in our facilities. A 20-year retirement benefit will go a long way to retain good employees.

I am also a member of the Alaska Juvenile Correctional Officers Assoc. (AJCOA) which has been formed to really support for HB 248.

Again, thanks for your support. I also look forward to the opening of the Ketchikan Regional Youth Facility as another member of the Division of Juvenile Justice's effort to better our delinquent youth.

Sincerely,

Arthur J. Konefal

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

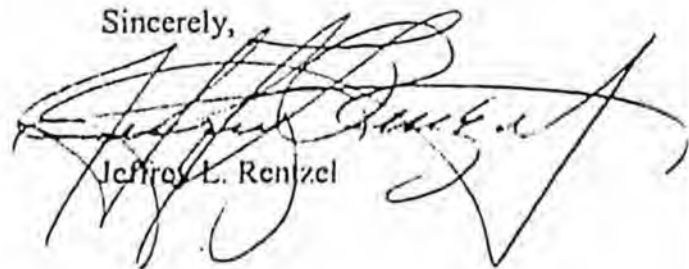
Jeffrey L. Rentzel
P.O. Box 74614
Fairbanks, Alaska 99707

Dear Rep. Williams,

My name is Jeffrey L. Rentzel and I work for the Division of Juvenile Justice in the Fairbanks Youth Facility as a Youth Counselor III. I appreciate your sponsorship of House Bill 248 (20-year retirement for Youth Counselors) and hope that it garners support for passage this legislative session and gets placed before the Governor for his signature. I know that you have been supportive of state employee matters in the past and HB 248 is evidence of this continued support. I am confident that HB 248 will benefit the Youth Counselor job class by bringing parity and fairness with the division's other employee classes.

Thank you very much for your leadership and support for 20-year retirement for Youth Counselors in our state's youth facilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey L. Rentzel", written over a printed name.

Jeffrey L. Rentzel

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Lisa Drew, Youth Counselor
4820 Villanova Dr.
FbKs. AK 99709

Dear Rep. Williams,

Just a short note to let you know that I appreciate your sponsorship & support of House Bill 248, that places Youth Counselors in the Peace Officers Retirement System. I'm employed at the FbKs. Youth Facility as a Youth Counselor & realize that passage of this piece of legislation would finally recognize the nature of work I do with serious juvenile (adult sized) offenders. HB 248 also brings a more balanced fairness between Youth Counselors & the other employees within the Division of Juvenile Justice, such as Juvenile Probation Officers who are currently in the 20 year system.

Thank you again for recognizing Youth Counselors & the work we do in our facilities across the state, and soon in your home community of Ketchikan.

Sincerely,

Lisa Drew

January 09, 2002

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

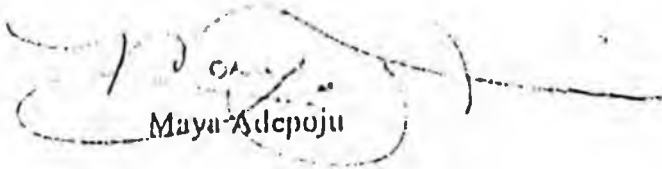
Maya Adepoju
1120 22nd Ave.
Fairbanks, AK 99701

Dear Rep. Williams,

My name is Maya Adepoju and I work for the Division of Juvenile Justice in the Fairbanks Youth Facility as a Youth Counselor II. I appreciate your sponsorship of House Bill 248 (20-year retirement for Youth Counselors) and hope that it garners support for passage this legislative session and gets placed before the Governor for his signature. I know that you have been supportive of state employee matters in the past and HB 248 is evidence of this continued support. I am confident that HB 248 will benefit the Youth Counselor job class by bringing parity and fairness with the division's other employee classes.

Thank you very much for your leadership and support for 20-year retirement for Youth Counselors in our state's youth facilities.

Sincerely,



Maya Adepoju

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Doug Bergener
1745 Donald Street
Fairbanks, Alaska 99701

Dear Rep. Williams,

Just a short note to let you know that I appreciate your sponsorship and support of House Bill 248, that places Youth Counselors into the Peace Officer's Retirement System. I am employed by the Fairbanks Youth Facility as a Youth Counselor II, and realize that passage of this piece of legislation would finally recognize the nature of the work I perform with serious juvenile offenders. HB 248 also brings fairness between Youth Counselors and the other employees within the Division of Juvenile Justice, such as Juvenile Probation Officers who are currently in the 20-year system.

Again, thank you for your recognition of Youth Counselors and the work that they do in our youth facilities across the state and soon in your home community of Ketchikan!

Sincerely,

A handwritten signature in cursive script, appearing to read "Doug A. Bergener", with a long horizontal flourish extending to the right.

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Curtis Harris
204 Steelhead Road
Fairbanks, Alaska 99709

Dear Rep. Williams,

My name is Curtis Harris and I work for the Division of Juvenile Justice in the Fairbanks Youth Facility as a Youth Counselor I. I appreciate your sponsorship of House Bill 248 (20-year retirement for Youth Counselors) and hope that it garners support for passage this legislative session and gets placed before the Governor for his signature. I know that you have been supportive of state employee matters in the past and HB 248 is evidence of this continued support. I am confident that HB 248 will benefit the Youth Counselor job class by bringing parity and fairness with the division's other employee classes.

Thank you very much for your leadership and support for 20-year retirement for Youth Counselors in our state's youth facilities.

Sincerely,

Curtis Harris

Rep. Bill Williams
State Capitol Room 511
Juneau, Alaska 99801-1182

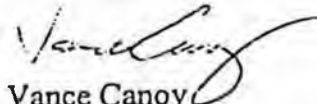
Vance Canoy/ Youth Counselor
PO Box 56660
North Pole, AK 99705

Dear Rep. Williams,

Just a short note to thank you for your sponsorship and support of House Bill 248, which places Youth Counselors into the Peace Officers Retirement System. I am a Youth Counselor at the Fairbanks Youth Facility. The House Bill 248 will bring fairness and recognition that Youth Counselors deserve.

Thanks again for your interest and appreciation for the type of services Youth Counselors provide to Alaskan communities.

Sincerely,


Vance Canoy
Youth Counselor

01-12-02

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Kevin J. Milles
1220 Park Drive
Fairbanks, AK 99709
(907)479-06298

Dear Rep. Williams,

Just a short note to let you know that I appreciate your sponsorship and support of House Bill 248, that places Youth Counselors into the Peace Officer's Retirement System. I am employed by the Fairbanks Youth Facility as a Youth Counselor II for the past 10 years and have recently joined the Alaska Juvenile Correctional Officers Association (AJCOA) to show my support for HB 248. I realize that passage of this piece of legislation would finally recognize the nature of the work I perform with serious juvenile offenders. HB 248 also brings fairness between Youth Counselors and the other employees within the Division of Juvenile Justice, such as Juvenile Probation Officers and the Administrative Staff (including receptionists) who are currently in the 20-year system.

Again, thank you for your recognition of Youth Counselors and the work that they do in our youth facilities across the state and soon in your home community of Ketchikan!

Please let me know what I can do through AJCOA to help support the passage of HB 248.

Sincerely,



Kevin J. Milles
Youth Counselor II
Fairbanks Youth Facility
10 year State Employee

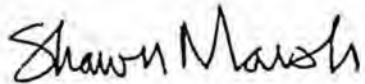
January 18, 2002

Representative Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Rep. Williams,

Thank you for your sponsorship of HB 248. Although I am no longer in a job class that is impacted by bill, I have worked for nearly a decade in the youth corrections system in Alaska and believe 20-year retirement for institutional staff is essential. Thank you again for your support.

Sincerely,

A handwritten signature in cursive script that reads "Shawn Marsh".

Shawn Marsh, M.Ed., NCC
Mental Health Clinician
Division of Juvenile Justice

Albert R. Phelan
Youth Counselor, MSYF
HC 01 Box 6167
Palmer, AK 99645

Dear Rep. Williams,

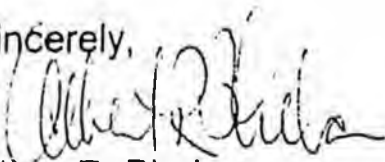
I would like to take this opportunity to thank you for sponsoring House Bill 248. This bill places the Youth Counselor series employees of the Division of Juvenile Justice into the Peace Officers Retirement System. Youth Counselors are Peace Officers as provided for in the Alaska State Statutes and are the only Peace Officers in the State of Alaska that do not have a 20 year retirement provided for them.

I work as a Youth Counselor Supervisor at the Mat Su Youth Facility in Palmer, Alaska. Pervious to that I worked at the McLaughlin Youth Center in Anchorage. I know first hand the nature of the work performed in the division's facilities. A 20 year retirement benefit will go a long way to retain good employees and improve staff morale.

In addition to being a youth facility employee, I am also a member of the Alaska Juvenile Correctional Officers Association (AJCOA), which has been formed to rally support for HB 248. With your leadership in the House on this issue, AJCOA feels confident that HB 248 will have widespread support. Association members will assist in any way possible to ensure the passage of this legislation.

Please feel free to contact me or any other association member regarding HB 248. Thank you again for your support of the Youth Counselor series employees and your recognition of the work they do in the youth facilities across the state.

Sincerely,



1-21-02

Albert R. Phelan
Youth Counselor III Supervisor

1/21/02

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Dear Representative Williams,

I would like to take a brief moment of your time to extend my gratitude for your sponsorship of House Bill 248, which places the Youth Counselor employees of the Division of Juvenile Justice into the Peace Officers Retirement System.

I am currently a teacher with the Mat-Su School District but prior to becoming a teacher I worked as a Youth Counselor, Correctional Officer and Probation Officer in Oregon. Because of my past work experience, I can attest to the need for the passage of this bill.

The services performed by Youth Counselors in the State of Alaska are demanding by nature; the result is 'burnout' and a loss of many good employees that seek employment in fields with less stress, responsibility and danger. Passage of House Bill 248 is a necessity for keeping DJJ Youth Counselors in their chosen profession.

Again, I extend my gratitude for your work in helping to end the disparity, which has existed in retirement for Youth Counselors.

Respectfully,



Frederic Brown
Teacher
MSBSD
Palmer, AK 99645

Bob Fedoroff
10814 Steeple Dr.
Eagle River, AK 99577
907-694-3296

January 19, 2002

Representative Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Dear Representative Williams,

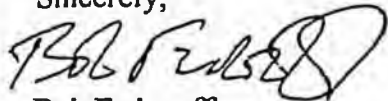
I would like to take this opportunity to thank you for sponsoring House Bill 248 that places Youth Counselor series employees of the Division of Juvenile Justice into the Peace Officers Retirement System.

I work as a Superintendent in Anchorage and, having worked in a facility for 29 years, I know first hand the nature of the work performed in the Division's facilities. A 20-year retirement benefit will go a long way toward retaining good employees and improving staff morale.

In addition to being a youth facility employee, I am also a member of the Alaska Juvenile Correctional Officers Association (AJCOA), which has been formed to develop support for HB 248. With your leadership in the House on this issue, AJCOA feels confident that HB 248 will have widespread support. Association members will assist in any way possible to ensure the passage of this legislation.

Please feel free to contact me or any other association member regarding HB 248. Thank you again for your support of the Youth Counselor series employees in our youth facilities across the state. I look forward to the opening of the Ketchikan Regional Youth Facility in the very near future.

Sincerely,



Bob Fedoroff

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

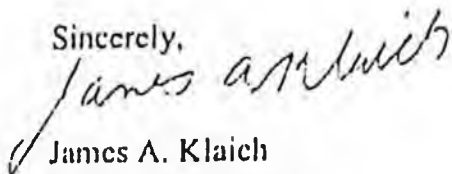
James Klaich
PO Box 74205
Fairbanks, AK 99701
e-mail address: jklaich@gci.net

Dear Rep. Williams,

My name is James Klaich and I work for the Division of Juvenile Justice in the Fairbanks Youth Facility as a Youth Counselor II and Certified Alcohol Drug Counselor for the past 13 years. I appreciate your sponsorship of House Bill 248 (20-year retirement for Youth Counselors) and hope that it garners support for passage this legislative session and gets placed before the Governor for his signature. I know that you have been supportive of state employee matters in the past and HB 248 is evidence of this continued support. I am confident that HB 248 will benefit the Youth Counselor job class by bringing parity and fairness with the division's other employee classes.

Thank you very much for your leadership and support for 20-year retirement for Youth Counselors in our state's youth facilities.

Sincerely,



James A. Klaich
Youth Counselor II
Fairbanks Youth Facility

January 7, 2002

Rep. Bill Williams
State Capitol Room 511
Juneau, AK 99801-1182

Tyler S. Yee
Youth Counselor II
3351 Lakewood Way
North Pole, AK 99705

Dear Rep. Williams,

Just a short note to let you know that I truly appreciate your sponsorship and support of House bill 248, that places Youth Counselors into the Peace Officer's Retirement System. I am employed by the Fairbanks Youth Facility as a Youth Counselor II, and realize that passage of this piece of legislation would finally recognize the nature of work I perform with serious juvenile offenders.

Again, thank you for your recognition of Youth Counselors and the work that they do in our youth facilities across the state and seen in your home community of Ketchikan.

Sincerely,

Tyler S. Yee

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF JUVENILE JUSTICE

Tony Knowles, GOVERNOR

P.O. BOX 110635
JUNEAU, ALASKA 99811-0635
PHONE: (907) 465-2212
FAX (907) 465-2333

April 29, 2002

Honorable Pete Kelly
Co-Chair, Senate Finance
Alaska State Senate
Capitol Building
Juneau, Alaska 99801

Dear Sen. Kelly,

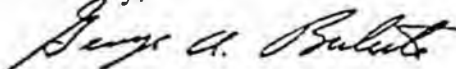
I want to thank you, the members of the Senate Finance Committee and the Alaska Legislature for your support of the Division of Juvenile Justice. Because of this support, we are able to provide the people of the state with a wide range of restorative justice services in which we hold juvenile offenders 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 makes the difference in the end.

I genuinely appreciate the support that you have shown DJJ in providing the means to expand our bed capacity throughout Alaska. today, 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.

Sincerely,



George Buhite



Alaska State Legislature

Please enter into the record my testimony to the SENATE FINANCE
Committee name
Committee on SB 367, dated 4-29-02
Bill/Subject

30 PAGES

Signed:

A handwritten signature in black ink, appearing to be "John".

Testifier

AK Juvenile Correctional Director John

Representing (Optional)

PO Box 331 Palmer, AK 99645

Address

H-745-3549 WK-761-7230

Phone number

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



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Department of Education & Early Development
State of Alaska



Alaska State Legislature

Please enter into the record my testimony to the SENATE FINANCE
Committee name

Committee on SB 367, dated 4-29-02
Bill/Subject

3 PAGES

Signed: [Signature]

Testifier

AK Juvenile Correctional Division Alaska

Representing (Optional)

PO Box 331 Palmer, AK 99645

Address

H-745-3549 WK-761-7230

Phone number

Good morning, members of the Senate Finance Committee.

My name is Ray Michaelson and I am a member of the **Alaska Juvenile Correctional Officers Association** and am also employed as the Superintendent of the Mat-Su Youth Facility.

I would like to take just a short amount of your time this morning to advocate for the 20-year retirement legislation before you.

I began my career with the Division of Juvenile Justice in 1990 as a Juvenile Probation Officer in Anchorage. For the next nine years I was in the 20-yr Peace Officers Retirement System. I performed the typical job duties of a JPO, which involved casework, court testimony, and the performance of arrests on juveniles. I handed over each of my arrestees to capable youth counselors in our correctional facilities who were in the 30-year retirement system.

I knew full well that the kids that I handed over to the facility were not capable of living under rules and structure, things our Youth Counselor staff provide. In short, our delinquent kids spend much more time under the care, custody and control of our Youth Counselor staff than they ever would in the presence of a probation officer. I know this from experience. As a result, the exposure to burn out and injury is far greater.

Peace Officer duties are the statutory responsibility of both probation officers and Youth Counselors. Youth Counselors just perform those duties dealing directly with the most dangerous and violent of our young delinquent population.

An inequity exists within in our own Division between our 70 JPOs under the 20-year retirement system and our 240 Youth Counselor employees under a 30-year system. An inequity also exists between our Youth Counselor employees and our counterparts in the jails of the Dept of Corrections. Resolving this

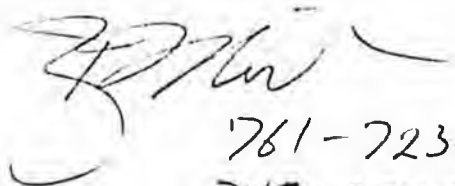
367
inequity, by passing SB ~~367~~, goes a long way toward establishing parity within the ranks of the Division and creates an atmosphere of professional mobility between Youth Counselors and JPOs.

It boils down to a matter of fairness between people who perform a very difficult task, often times, side-by-side.

Finally, I would submit to all of you that the Youth Counselor staff in our seven youth facilities across the state, are a group of very capable and hard working people whose passion for working with difficult juvenile offenders runs deep. A 20-yr retirement system for Youth Counselors would certainly encourage staff to continue working in the system, which makes for a very valuable recruitment tool.

I know that I personally had to make the choice to leave a 20-year retirement system for work in a 30-year system. Many others are not making that transition from probation to facility work for the retirement benefit reason.

Thank you.



761-7230 - W

745-3549 - H

SENATE FINANCE COMMITTEE
SB 367-PERS BENEFITS FOR JUV INSTIT EMPLOYEES

SIGN-IN

NAME: Patty Ware Subject/Bill No: SB 367
Co./Dept./Title: HSS / DJJ - Acting Director Phone: X 2112
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: JANET PARKER Subject/Bill No: SB 367
Co./Dept./Title: R&B - Dep. Director Phone: X 4473
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: GREG ROTH Subject/Bill No: SB-367
Co./Dept./Title: AJCOA Phone: 780-8658
Address: 1516 LANG CT. Zip: 99801
Do you wish to testify? Yes No Respond To Questions

NAME: KRISTI HELGEN Subject/Bill No: SB 367
Co./Dept./Title: JUVENILE PD IV Phone: 581-9438-228
Address: JYC 2252 Hwy. 101 W. 2c Zip: 99801
Do you wish to testify? Yes No Respond To Questions

SITE: MATSU LIO

COMMITTEE: SFIM

DATE: 04-29-02

SUBJECT OF MEETING:

SB 367

UPDATE:



PLEASE SIGN IN

DO YOU WANT

P R I N T YOUR NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

TO TESTIFY?

Y or N

P R I N T YOUR NAME	ADDRESS (MAILING & ZIP)	REPRESENTING	TO TESTIFY? Y or N
✓ Ray Michaelson		Ak Juvenile Correctional Officers Association	SB 367 Y
Email address:			
Email address:			
Email address:			
Email address:			
Email address:			

SB

368

SFIN

FILE

SB 368

was referred to the
Senate Finance
Committee

No hearing was held
on this bill

SB

372

SFIN

FILE

SB 372

was referred to the
Senate Finance
Committee

Hearing(s) were held

The bill did not move
from Committee

SB

2001

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HCS CSSB 2001 (FIN)
 (H) Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An Act relating to the AK Pioneers' BRU: AK Longevity Programs
and Veterans' Home Component: Pioneers' Homes
 Sponsor: House Finance Committee
 Requester: _____ Component Number: 1950

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Representative Eldon Mulder
 Co-Chair

Phone 465-2647/465-3424

Representative Bill Williams
 Co-Chair

Date 5/20/02

Amended pg 3

HOUSE CS FOR SENATE BILL NO. 2001(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SPECIAL SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): **SENATE RULES COMMITTEE BY REQUEST**

A BILL

FOR AN ACT ENTITLED

1 "An Act changing the name of the Alaska Pioneers' Home to the Alaska Pioneers' and
2 Veterans' Home and of the Alaska Pioneers' Homes Advisory Board to the Alaska
3 Pioneers' and Veterans' Home Advisory Board; relating to housing and services for
4 veterans; relating to the advisory board for the home; making other amendments to the
5 statutes relating to the home; and providing for an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * Section 1. AS 44.21.120 is amended to read:

8 Sec. 44.21.120. Composition of the board. (a) The Alaska Pioneers' Home
9 [HOMES] Advisory Board consists of

10 (1) six [SEVEN] members appointed by the governor from among
11 citizens of the state; [AND]

12 (2) one member, appointed by the governor, who is a veteran of
13 active service in the armed forces of the United States, including the Alaska

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National Guard or the Alaska Territorial Guard; and

(3) one member who is the chair of the Alaska Commission on Aging established under AS 44.21.200.

(b) The term of office of a member of the board appointed under (a)(1) or (2) of this section is four years. A member of the board appointed under (a)(1) or (2) of this section may not serve more than eight consecutive years. A chair shall be elected by the voting members of the board. The members of the board appointed under (a)(1) or (2) of this section serve at the pleasure of the governor.

* Sec. 2. AS 44.21.120(a) is amended to read:

(a) The Alaska Pioneers' Home Advisory Board consists of

(1) five [SIX] members appointed by the governor from among citizens of the state;

(2) one member, appointed by the governor, who is a veteran of active service in the armed forces of the United States, including the Alaska National Guard or the Alaska Territorial Guard; [AND]

(3) one member who is the chair of the Alaska Veterans Advisory Council established in AS 44.35; and

(4) one member who is the chair of the Alaska Commission on Aging established under AS 44.21.200.

* Sec. 3. AS 47.55.010(c) is amended to read:

(c) The Department of Administration shall

(1) cooperate with the federal government in matters pertaining to the welfare of Alaska [ALASKAN] pioneers and of veterans who reside in the home operated under this chapter, make the reports in the form and containing the information the federal government from time to time desires, and accept funds allotted by the federal government, its agencies, or its instrumentalities [.] in establishing, extending, and strengthening services for pioneers of Alaska and veterans who reside in the home operated under this chapter;

(2) adopt regulations necessary for the conduct of the business of the Pioneers' Home and for carrying out the provisions of this chapter, require bonds and undertakings from persons employed by it as in its judgment are necessary, and pay

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the premiums on them, and establish regional and local offices and the advisory groups that are necessary or considered expedient to carry out or assist in carrying out a duty or authority assigned to it;

(3) perform all executive or administrative duties necessary and advisable to carry out the purpose of this chapter, including the power to make contracts and to make disbursements on vouchers against funds for the purpose of this chapter, within the limit of funds available;

(4) study the needs of Alaska's pioneers and veterans who reside in the home operated under this chapter and submit recommendations for new regulations and proposed legislation; and

(5) prepare a biennial report in even-numbered years and notify the legislature that the report is available.

* Sec. 4. AS 47.55.010(d) is amended to read:

(d) The Department of Administration may employ the necessary subordinate officers and employees, and shall prescribe methods for operation of the home [PIONEERS' HOME], standards of care and service to home residents, and rules governing personnel and rewarding employees on a merit basis. The methods for operation and standards of care and services to residents prescribed under this subsection shall be the same as the methods for operation and standards of care established by the Department of Administration for assisted living homes licensed under AS 47.33.

* Sec. 5. AS 47.55.010 is amended by adding new subsections to read:

(e) As provided in this subsection, a certain number of beds in the Alaska Pioneers' Home shall be reserved for use by veterans who meet all other qualifications for admission to the home. The Department of Administration shall by regulation

(1) specify the number of beds reserved for use by veterans under this subsection; the department may not specify that more than 30 percent of the beds in a single institution are reserved for veterans, nor that more than the percentage of the ^{"occupied"} beds collectively comprising the Alaska Pioneers' Home system that were in use by veterans on June 30, 2002, are reserved for veterans;

(2) establish procedures that

1 (A) provide for a veteran to be considered for admission to an
2 unreserved, unoccupied bed in the home under admission criteria in or under
3 this chapter if all beds reserved under this subsection are occupied;

4 (B) provide for a person who is not a veteran to be considered
5 for admission to an unoccupied bed reserved under this subsection if no
6 veteran who is qualified for admission to a reserved bed has applied for
7 admission; and

8 (C) ensure that, to the extent possible, the beds reserved for use
9 by veterans under this subsection are occupied by veterans.

10 (f) In this section, "veteran" means a person with 181 days or more of active
11 service in the armed forces of the United States, including the Alaska National Guard
12 or the Alaska Territorial Guard.

13 * Sec. 6. AS 47.55.020(a) is amended to read:

14 (a) Every person residing in the state who is 65 years of age or older, has been
15 a resident of the state continuously for more than one year [15 YEARS] immediately
16 preceding application for admission, and is in need of residence at the home because
17 of physical disability or other reason, is eligible for admission under conditions
18 prescribed in regulations of the Department of Administration. The spouse of a person
19 who is eligible for admission under other provisions of this subsection is also eligible
20 for admission to the home under conditions prescribed by the department if the spouse
21 is 65 years of age or older and has been a resident of the state continuously for more
22 than one year [15 YEARS] immediately preceding application for admission. In this
23 subsection, "physical disability or other reason" means inability to maintain a
24 household without regular assistance in shopping, housekeeping, meal preparation,
25 dressing, or personal hygiene because of physical or medical impairment, infirmity, or
26 disability.

27 * Sec. 7. AS 47.55.020(e) is amended to read:

28 (e) Notwithstanding AS 47.55.070 and (b) of this section, a home resident
29 whose income and assets are insufficient to pay the monthly rate set under
30 AS 47.55.030(b) qualifies for payment assistance if the resident is otherwise in
31 compliance with requirements under this chapter. The amount of payment assistance

1 shall equal the amount needed, when added to other income and assets of the resident,
2 to pay the monthly rate set under AS 47.55.030(b). Payment assistance received by a
3 home resident is a debt to the state. In determining the amount of payment assistance
4 for which a home resident qualifies, the following income and assets of the [A
5 PIONEERS' HOME] resident shall be disregarded:

6 (1) income from any source in an amount equal to at least \$100 per
7 month as established by regulation of the Department of Administration;

8 (2) the following assets received under 43 U.S.C. 1601 - 1629g [43
9 U.S.C. 1601 - 1629e] (Alaska Native Claims Settlement Act):

10 (A) cash dividends and other income equal to at least \$2,000 as
11 established by regulation of the Department of Administration;

12 (B) stock;

13 (C) noncash dividends from stock; and

14 (D) land;

15 (3) a permanent fund dividend issued under AS 43.23;

16 (4) veterans' benefits paid under 38 U.S.C. 1110 [38 U.S.C. 1114];

17 (5) compensation to volunteers under the federal retired and senior
18 volunteers (42 U.S.C. 5001), foster grandparents (42 U.S.C. 5011), and senior
19 companion (42 U.S.C. 5013) programs made in accordance with 42 U.S.C. 5044(f);

20 (6) federal World War II restitution payments made under 50 U.S.C.
21 App. 1989b-4 and c-5 [50 U.S.C. 1989B-4 AND c-5];

22 (7) payments under AS 18.67 (crime victim compensation);

23 (8) an amount determined by regulation of the Department of
24 Administration sufficient for burial expenses of the resident, the resident's spouse, and
25 dependents of the resident;

26 (9) real property being used as the primary residence of the resident's
27 spouse or a dependent of the resident;

28 (10) other real or personal property equal to at least a total value of
29 \$5,000 as established by regulation of the Department of Administration.

30 * Sec. 8. AS 47.55.060 is amended to read:

31 **Sec. 47.55.060. Trust fund.** Unless otherwise provided by the donor, money

1 bequeathed to the Alaska Pioneers' Home or to the former Alaska Pioneers' and
2 Veterans' Home constitutes a special trust fund. Unless otherwise provided by the
3 donor, interest from the special trust fund is under the control and at the disposal of the
4 Department of Administration, and expenditure from it is limited to the benefit and
5 comfort of the residents of the home.

6 * Sec. 9. AS 47.55.010(e), enacted by sec. 5 of this Act, is repealed.

7 * Sec. 10. The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 PILOT PROJECT. (a) The Department of Administration may negotiate with the
10 United States Department of Veterans Affairs for the purpose of achieving an agreement to
11 operate a pilot project under which, until June 30, 2005, federal veterans' per diem payments
12 could be used by veterans who reside in the Alaska Pioneers' Home. The agreement must
13 also provide that receipt by a veteran of the federal per diem payment may not reduce the total
14 home daily rate charged to the veteran, but that a veteran's per diem payment will contribute
15 to the cost of the veteran's care in the home. The agreement must also provide that the pilot
16 project may be conducted without any need for changes in the state ownership and authority
17 to operate and manage the home under the state laws as they would exist after being amended
18 or enacted by this Act.

19 (b) The Department of Administration shall report to the legislature by January 5,
20 2005, on the operation of the pilot project authorized under (a) of this section. The report
21 must include the department's recommendations as to whether the project should continue,
22 whether the project should become permanent in nature, and other matters related to the
23 project, as determined by the department.

24 * Sec. 11. The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 CHANGING THE NAME OF THE ALASKA PIONEERS' HOME AND THE
27 ALASKA PIONEERS' HOMES ADVISORY BOARD. (a) Notwithstanding
28 AS 47.55.010(a) and any other applicable provision of law, from the effective date of this
29 section until July 1, 2005, the Alaska Pioneers' Home shall be known as the Alaska Pioneers'
30 and Veterans' Home. Beginning July 1, 2005, the Alaska Pioneers' and Veterans' Home shall
31 be known as the Alaska Pioneers' Home.

1 (b) Notwithstanding AS 44.21.100 and any other applicable provision of law, from
2 the effective date of this section until July 1, 2005, the Alaska Pioneers' Homes Advisory
3 Board shall be known as the Alaska Pioneers' and Veterans' Home Advisory Board.
4 Beginning July 1, 2005, the Alaska Pioneers' and Veterans' Home Advisory Board shall be
5 known as the Alaska Pioneers' Home Advisory Board.

6 * Sec. 12. The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 CONTINGENT EFFECTIVENESS. (a) Section 2 of this Act takes effect only if a
9 version of a bill establishing the Alaska Veterans' Advisory Council is passed by the Twenty-
10 Second Alaska State Legislature and becomes law.

11 (b) Sections 1, 5, and 11 of this Act take effect only if an agreement is signed between
12 the federal Department of Veterans Affairs and the state Department of Administration that
13 authorizes the pilot project described in sec. 10 of this Act.

14 * Sec. 13. (a) If sec. 2 of this Act takes effect, it takes effect the day after the effective date
15 of sec. 1 of this Act or on the effective date of the agreement described in sec. 10 of this Act,
16 whichever is later.

17 (b) If secs. 1, 5, and 11 of this Act take effect, they take effect on the date the
18 agreement described in sec. 10 of this Act is signed by both parties. The commissioner of
19 administration shall notify the revisor of statutes of this date and send a copy of the agreement
20 to the Legislative Budget and Audit Committee and the presiding officers of the Senate and
21 House of Representatives.

22 * Sec. 14. Sections 3, 4, 6, 7, 10, and 12 of this Act take effect immediately under
23 AS 01.10.070(c).

24 * Sec. 15. Sections 8 and 9 of this Act take effect July 1, 2005.

Veterans Residing in the Alaska Pioneers' Home System									
	First Name	Pioneers' Home	LOC	Monthly Rate	Mnthly Pmt	Mnthly Sub	V'A pay	Bal.	Add. Rev.
1	John	Palmer	CC	6,450.00	720.00	5,730.00	1,200.00	4,530.00	1,200.00
2	Melvin	Palmer	CC	6,450.00	1,357.00	5,093.00	1,200.00	3,893.00	1,200.00
3	Hans	Ketchikan	CC	6,450.00	846.00	5,604.00	1,200.00	4,404.00	1,200.00
4	Ernest	Anchorage	CC	6,450.00	1,773.13	4,676.87	1,200.00	3,476.87	1,200.00
5	Sherman	Sitka	ADRD	5,270.00	799.62	4,470.38	1,200.00	3,270.38	1,200.00
6	Robert	Sitka	ADRD	5,270.00	1,541.26	3,728.74	1,200.00	2,528.74	1,200.00
7	Robert	Palmer	ADRD	5,270.00	384.00	4,886.00	1,200.00	3,686.00	1,200.00
8	Melvin	Palmer	ADRD	5,270.00	611.94	4,658.06	1,200.00	3,458.06	1,200.00
9	Larry	Palmer	ADRD	5,270.00	635.00	4,635.00	1,200.00	3,435.00	1,200.00
10	Doris	Fairbanks	ADRD	5,270.00	932.00	4,338.00	1,200.00	3,138.00	1,200.00
11	Herman	Fairbanks	ADRD	5,270.00	2,765.95	2,504.05	1,200.00	1,304.05	1,200.00
12	Oscar	Anchorage	ADRD	5,270.00	1,524.00	3,746.00	1,200.00	2,546.00	1,200.00
13	Earl	Anchorage	ADRD	5,270.00	1,776.00	3,494.00	1,200.00	2,294.00	1,200.00
14	Allan	Sitka	EAL	5,080.00	2,528.27	2,551.73	1,200.00	1,351.73	1,200.00
15	James	Sitka	EAL	5,080.00	1,761.05	3,318.95	1,200.00	2,118.95	1,200.00
16	Ken	Sitka	EAL	5,080.00	2,300.00	2,780.00	1,200.00	1,580.00	1,200.00
17	Ceferina	Sitka	EAL	5,080.00	0.00	5,080.00	1,200.00	3,880.00	1,200.00
18	Richard	Sitka	EAL	5,080.00	2,409.09	2,670.91	1,200.00	1,470.91	1,200.00
19	Dan	Sitka	EAL	5,080.00	527.06	4,552.94	1,200.00	3,352.94	1,200.00
20	James	Palmer	EAL	5,080.00	2,565.06	2,514.94	1,200.00	1,314.94	1,200.00
21	Joel	Ketchikan	EAL	5,080.00	864.00	4,216.00	1,200.00	3,016.00	1,200.00
22	Richard	Anchorage	EAL	5,080.00	1,168.00	3,912.00	1,200.00	2,712.00	1,200.00
23	Frances	Anchorage	EAL	5,080.00	2,220.83	2,859.17	1,200.00	1,659.17	1,200.00
24	David	Juneau	BAL	3,865.00	1,578.55	2,286.45	1,200.00	1,086.45	1,200.00
25	Walter	Sitka	BAL	3,865.00	283.81	3,581.19	1,200.00	2,381.19	1,200.00
26	Clarence	Sitka	BAL	3,865.00	1,174.00	2,691.00	1,200.00	1,491.00	1,200.00
27	William	Sitka	BAL	3,865.00	836.80	3,028.20	1,200.00	1,828.20	1,200.00
28	Thurston	Palmer	BAL	3,865.00	1,810.00	2,055.00	1,200.00	855.00	1,200.00
29	Edward	Palmer	BAL	3,865.00	1,557.97	2,307.03	1,200.00	1,107.03	1,200.00
30	Bill	Palmer	BAL	3,865.00	2,913.90	951.10	1,200.00	(248.90)	951.10
31	Jack	Fairbanks	BAL	3,865.00	845.00	3,020.00	1,200.00	1,820.00	1,200.00
32	Mildred	Fairbanks	BAL	3,865.00	3,389.57	475.43	1,200.00	(724.57)	475.43
33	Thelma	Ketchikan	BAL	3,865.00	894.00	2,971.00	1,200.00	1,771.00	1,200.00
34	Howard	Ketchikan	BAL	3,865.00	1,544.18	2,320.82	1,200.00	1,120.82	1,200.00
35	Walter	Anchorage	BAL	3,865.00	0.00	3,865.00	1,200.00	2,665.00	1,200.00
36	Robert	Anchorage	BAL	3,865.00	1,811.42	2,053.58	1,200.00	853.58	1,200.00
37	Walter F.	Anchorage	BAL	3,865.00	2,216.20	1,648.80	1,200.00	448.80	1,200.00
38	Loy M.	Anchorage	BAL	3,865.00	612.00	3,253.00	1,200.00	2,053.00	1,200.00
39	Robert	Anchorage	BAL	3,865.00	1,500.89	2,364.11	1,200.00	1,164.11	1,200.00
40	Virginia	Anchorage	BAL	3,865.00	988.00	2,877.00	1,200.00	1,677.00	1,200.00
41	Sigvold	Anchorage	BAL	3,865.00	942.00	3,023.00	1,200.00	1,823.00	1,200.00
42	Oswald	Anchorage	BAL	3,865.00	551.00	3,314.00	1,200.00	2,114.00	1,200.00
43	Melvorn	Anchorage	BAL	3,865.00	868.00	2,997.00	1,200.00	1,797.00	1,200.00
44	Bernard	Anchorage	BAL	3,865.00	486.00	3,379.00	1,200.00	2,179.00	1,200.00
45	Guido	Anchorage	BAL	3,865.00	2,055.51	1,809.49	1,200.00	609.49	1,200.00
46	Al	Sitka	CS	2,135.00	1,373.00	762.00	1,200.00	(438.00)	762.00
47	Jack	Fairbanks	CS	2,135.00	527.00	1,608.00	1,200.00	408.00	1,200.00
48	William	Anchorage	CS	2,135.00	1,052.00	1,083.00	1,200.00	(117.00)	1,083.00
49	Charles C.	Anchorage	CS	2,135.00	827.50	1,307.50	1,200.00	107.50	1,200.00
						153,052.44			57,271.53
						x 12 months			x12months
						1,836,629.28			687,258.36

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HCS CSSB 2001 (FIN)
(H) Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title: An Act relating to the AK Pioneers' BRU: AK Longevity Programs
and Veterans' Home Component: Pioneers' Homes
Sponsor: House Finance Committee
Requester: _____ Component Number: 1950

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Representative Eldon Mulder
Co-Chair

Phone 465-2647/465-3424

Representative Bill Williams
Co-Chair

Date 5/20/02

ROBERT L. HUFMAN

1018 Galena St. Fairbanks, AK 99709-4826 Tel: (907) 474-0549 * Fax: (907) 474-0536

05/20/2002..... Via FAX 907-465-3518

Rep. Eldon Mulder
Juneau, Alaska 99708

Dear Representative Muldor:


I wish to express our concerns regarding the proposed Pioneer/Veteran's Home legislation, SB 2001, that has been referred to your committee.

Once the legislation in question started to move, it accelerated through the Senate with virtually no opportunity to present testimony. We remain in hopes that opportunities will be available during the special session. Realizing that due to time constraints, that may not occur. We request that SB 2001 be held in your committee and allow an opportunity to thoroughly examine the pros and cons during the next session. However, in the event circumstances dictate that your committee act on it, please retain the Senate version intact.

Section 24 of SB 2001 provides a reasonable safeguard to better assure that Veterans and Pioneers are not led down the primrose path proposed by the Administration who have nothing of real substance to support their claims.

Please convey our thoughts on this matter to other members of your finance committee and thank you for your consideration.

Sincerely,



Bob Huffman, Chr.
Government Affairs Comm.
Pioneers of Alaska

FISCAL NOTE

REPORTED OUT OF HFC _____

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 2001
(S) Publish Date: 5/18/02

Revision Date/Time (Note if correction) _____ Dept. Affected: Admin
Title An Act relating to the AK Pioneers' and Veterans' Home BRU AK Longevity Programs
Sponsor Rules by Request of Governor Component Pioneers' Home
Requester _____ Component No. 1950

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	2,832.0	2,832.0	2,832.0	2,832.0	2,832.0	2,832.0
Travel						
Contractual	117.6	117.6	117.6	117.6	117.6	117.6
Supplies	50.4	50.4	50.4	50.4	50.4	50.4
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	3,000.0	3,000.0	3,000.0	3,000.0	3,000.0	3,000.0
CAPITAL EXPENDITURES	250.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1156)	1,500.0	1,550.2	1,600.4	1,650.6	1,700.8	1,751.0

FUND SOURCE

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
1002 Federal Receipts*						
1003 GF Match						
1004 GF	1,750.0	1,449.8	1,399.6	1,349.4	1,299.2	1,249.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
1118 Pioneers Home Receipts **	1,500.0	1,550.2	1,600.4	1,650.6	1,700.8	1,751.0
TOTAL	3,250.0	3,000.0	3,000.0	3,000.0	3,000.0	3,000.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Full-time	73	73	73	73	73	73
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

\$1.5 million is included in this fiscal note and will provide the funding to fill an additional 50 beds for a total of 550 beds. This will result in 115 beds having a preference for veterans. Currently there are 95 veterans who are residents of the Pioneers Home System.

* Federal Veterans Administration per diem payments to individual veterans that are then paid to the Pioneers' Homes for services are included in the Pioneers Homes Receipts**. These payments are estimated to commence on July 1, 2002 - amounting to \$818,500 in increased receipts in FY 2003 and increasing to \$1.07 million in FY 2008.

Prepared by: James Kohn, Director
Division: Alaska Longevity Programs
Approved by: Jim Duncan, Commissioner
Agency: Department of Administration

Phone 465-2159
Date/Time 5/17/02
Date 5/17/2002

ANALYSIS CONTINUATION

Capital funding of \$250.0 will be used to obtain a contract to study the needs of Alaskan veterans. This study will obtain in-depth information about the needs of veterans in the state who would not be served by the Pioneers' Home system and a plan to meet those needs. In general, senior veterans will require assistance with needs related to physical frailty and Alzheimer's disease which they will receive in the Pioneers' Home. Veterans younger than 65 years of age, in general, will require assistance related to homelessness, substance abuse and combat disability. The plan would include the best use of federal programs for state veterans and the use of state funds to leverage federal grants. The \$250.0 cost of the study is approximately one half the cost of a similar study recently funded by the State of Washington, and should save the state costly mis-steps in providing for the needs of Alaska veterans.

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 2001
(S) Publish Date: 5/18/02

Revision Date/Time (Note if correction) _____ Dept. Affected: Admin
Title An Act relating to the AK Pioneers' BRU AK Longevity Programs
and Veterans' Home Component Pioneers' Home
Sponsor Rules by Request of Governor
Requester _____ Component No. 1950

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	2,832.0	2,832.0	2,832.0	2,832.0	2,832.0	2,832.0
Travel						
Contractual	117.6	117.6	117.6	117.6	117.6	117.6
Supplies	50.4	50.4	50.4	50.4	50.4	50.4
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	3,000.0	3,000.0	3,000.0	3,000.0	3,000.0	3,000.0

CAPITAL EXPENDITURES	250.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES (1156)	1,500.0	1,550.2	1,600.4	1,650.6	1,700.8	1,751.0
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FUND SOURCE

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
1002 Federal Receipts*						
1003 GF Match						
1004 GF	1,750.0	1,449.8	1,399.6	1,349.4	1,299.2	1,249.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
1118 Pioneers Home Receipts **	1,500.0	1,550.2	1,600.4	1,650.6	1,700.8	1,751.0
TOTAL	3,250.0	3,000.0	3,000.0	3,000.0	3,000.0	3,000.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Full-time	73	73	73	73	73	73
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

\$1.5 million is included in this fiscal note and will provide the funding to fill an additional 50 beds for a total of 550 beds. This will result in 115 beds having a preference for veterans. Currently there are 95 veterans who are residents of the Pioneers Home System.

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Prepared by: James Kohn, Director Phone 465-2159
Division Alaska Longevity Programs Date/Time 5/17/02
Approved by: Jim Duncan, Commissioner Date 5/17/2002
Agency Department of Administration