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was \$3,554,635 (1979) when the 1982 figure (\$4,859,012) is recalculated for consistency by using 1971-80 costs (\$2,721,046).<sup>6</sup> Louisiana's election administration costs increased 30 percent to an open elections system cycle average of \$2,662,616. In terms of constant dollars, which take into account inflation (1972=100), election administration costs, on the average, remained nearly unchanged over the election cycles before and after complete implementation of the open elections system (see Anderson and Hadley, 1983, for the figures, including a comparison with Kentucky).

### Number of Elections

Louisiana eliminated one complete set of elections, yet there was no reduction in election administration costs. Why? One possibility, since changed, was the required holding of special elections to fill judicial, state, and local vacancies. However, the increase in judicial elections was modest—from an average of 30 to 38 from one election cycle to the next. The increase in other special elections, however, was more substantial—107 versus 150—but consisted mainly of municipal referenda not paid for by the state unless held in conjunction with state elections. Also, as required by state law, special elections to fill vacancies must be held in conjunction with regularly scheduled elections. The number of elections held increased by nearly 1,000 after complete implementation of the open elections system. From an inspection of available records in the Elections Division, Office of the Secretary of State, this change appears to be related to increased challenges to incumbent public officials, challenges which result in runoff general elections.

### Political Party Role

Prior to the adoption of the open elections system, the Democratic and Republican parish executive committees "qualified" candidates who ran for office under their party label and collected candidate "qualification" fees. The committees also accepted recommendations and appointed poll commissioners, ran the primary and runoff primary elections, and tabulated and promulgated the election results. Prohibited from adding sur-

charges to the qualification fees by the 1972 legislature, the political party parish executive committees were left without any functions when the state assumed complete responsibility for the conduct of elections, including the professionalization of poll commissioners and candidate qualification, under the open elections system. Primarily to give the state Democratic party and Democratic parish executive committees financial stability, the 1982 legislature permitted the state political parties and parish executive committees to add surcharges to the candidate qualification fees imposed by the state. The collected surcharges are only permitted to be spent for organization maintenance. The income brought the state Democratic party back from complete bankruptcy as the gross fees collected in 1983, 1984, and 1985 amounted to \$265,000, \$90,000, and \$16,000 respectively. The wide variation in collected fees, of course, depends upon the offices up for election in each of the four years in an election cycle.

### Summary and Conclusion

The open elections system, enacted by the legislature and implemented for the 1975 elections through the persistent efforts of Governor Edwin W. Edwards, served his pending reelection goal. Rather than having to mount a demanding election campaign through a primary and runoff primary only to meet a fresh, well-financed Republican candidate in the general election as he had in 1971-72, he easily won reelection in the primary phase of the new open elections system which required all candidates to compete regardless of partisan affiliation, if any.

Not only did the new elections system force Republican candidates to compete from the beginning of the elections process, it also dampened the growth of the fledgling Louisiana Republican party. Republican voter registration experienced steady but modest growth. The number of Republican state legislative candidacies initially were substantially reduced. The recent Republican state legislative seat gains became more attributable to the conversion of sitting conservative Democrats (15) than to changes in the election system. The new elections system, moreover, placed such a premium on the open primary

phase that election contests, such as that for governor in 1979, intensified Democratic divisiveness. (The 1983 gubernatorial election, while attracting nine candidates, remained a two-way battle between incumbent Governor David C. Treen and former Governor Edwin W. Edwards, who considered himself "governor in temporary exile.") Also, election administration costs did not recede under the new system even though the third set of elections was eliminated as increased intraparty competition during the open primary produced an increased number of runoff general elections.

From the standpoint of campaign finance, the new system, with its intensified primary election phase competition, gave birth to very expensive election campaigns such as the 1979 gubernatorial contest, which was the most expensive ever held in the United States. The 1983 gubernatorial contest, settled during the primary phase, was not far behind. Finally, to accommodate the open elections system, the ballot was restructured from a party column to office block arrangement to inhibit straight ticket voting. Party symbols—considered invaluable to illiterate and semiliterate voters and including the unique designation for the state versus national Democratic parties—were eliminated from the ballot. The conduct of primary elections was absorbed by the state from the political party executive committees which were left without functions in the electoral process.

*Election rules changes are not neutral. While they may have immediate electoral benefits, they also have far-reaching and unforeseen consequences which significantly can affect the party system (e.g., Ranney, 1974: 72-74, 93). At a time of increased concern with the strengthening of party organizations (Cotter, et al., 1984; Price, 1984), the Louisiana ballot was restructured in a way to inhibit straight party voting, and Louisiana political parties lost a major role in the elections process. If the direct primary made "[political] parties even more decentralized than before" (Ranney, 1975), the Louisiana open elections system institutionalized multifactionalism—crowded electoral contests for the same office—described by Earl Black (1988) at the gubernatorial level. The possibility to win with 50 per-*

cent of the votes cast has forced *all* candidates to refocus attention on and to intensify campaign efforts at the primary election phase. The elections system tends to produce increasingly crowded election contests at *all* levels of government for *both* the Democratic and Republican parties.

## Notes

1. The U.S. Department of Justice, on complaint from the NAACP, twice rejected a similar electoral change for Mississippi on the basis of racial discrimination.
2. The 1983-84 figures were supplied by the Executive Director, Louisiana Republican Party, and by the Elections Division, Office of the Secretary of State, State of Louisiana.
3. Conservative political philosophy, too, separates Louisiana Democratic party professionals with respect to a return to closed primary elections.
4. Both the House and Senate had one Republican member elected in 1982 special elections.
5. A Louisiana governor is constitutionally limited to two consecutive terms of office.
6. Polling place rents and poll commissioner compensation were increased beginning 1981.

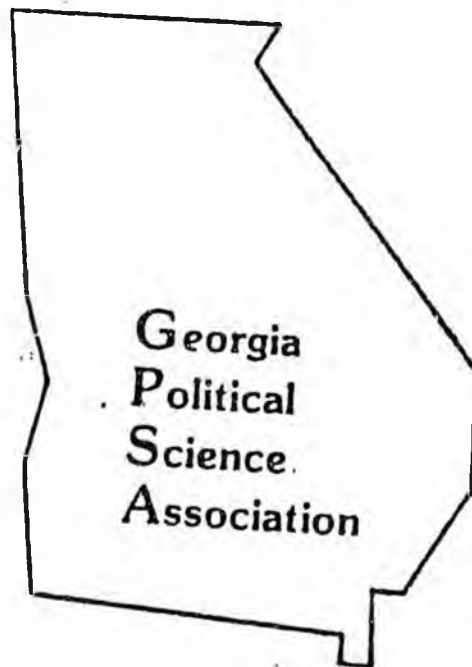
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## SUPPORT FOR THE RETURN TO CLOSED PRIMARY ELECTIONS: LOUISIANA PARTY PROFESSIONALS ON THE OPEN ELECTIONS SYSTEM

Charles D. Hadley

Election laws are used to produce desired political consequences (Rae, 1971; Wildgen, 1972). For example, they were used to keep blacks and poor whites out of the southern electorate (Key, 1947; Rusk and Stucker, 1978) and, with the Voting Rights Act of 1965, to add both groups to the voting rolls.

Perhaps the most significant reform to affect the functioning of political parties in the American political system was the widespread adoption of primary elections during the Progressive era. In the short run, primary elections did create political competition--intraparty competition--in political subdivisions with one dominant political party, in the Solid South among Democrats and in the North among Republicans. The Progressive objective to undercut the power of political bosses, however, was never realized when primary elections were put into place. And, in the long run, primary elections significantly

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weakened political parties by removing their monopoly over candidate nominations (Ranney, 1975; Key, 1956). More recently, the national Democratic Party made a conscious effort to return the system of presidential candidate selection to the caucus/convention process; however, the new rules established for that purpose had unintended consequences--a renewed interest in and widespread adoption of primary elections (Ranney, 1974; Ranney, 1977. Cf. Crotty, 1983).

#### The open elections system

While the national Democratic Party attempted to end primary elections, the electorally dominant Louisiana Democratic Party, through the persistent efforts of Governor Edwin W. Edwards, carried them one step further by eliminating the state's general election in all but name during the 1975 legislative session. Under the open elections system, which governs all elections except presidential for which the national Democratic Party requires closed primary elections, all candidates for an office face each other in a primary election. If no candidate receives a majority of the votes cast, the top two vote getters, regardless of party affiliation, enter a run-off general election.

The open elections system was enacted despite widespread opposition from the state's major newspapers, the Republican Party, prominent Democratic officials, and good government groups such as the Public Affairs Research Council. After being rejected by the U.S. Department of Justice in a review required by the Voting Rights Act of 1965, it was resurrected in the legislature by gutting a dormant bill to make the necessary adjustments required by Justice, signed by Governor Edwards, and personally carried by the Governor's Executive Council back to Justice for final approval in time for implementation in the Fall elections where Governor Edwards was

running for re-election. (See Anderson and Hadley, 1983a.)

#### Party professionals on the open elections system

From the analysis of party professionals--county chairmen, county executive committee members, PAC chairmen, and State Central Committee members--who responded to the Democratic Delegate Survey completed April 19, 1982, with a response rate of over 56% and the Republican Leadership Survey completed November 15, 1982, with a response rate of over 61%, there is wide agreement among Democratic and Republican Party professionals that the open elections system saves "the state money by having fewer elections" (76.5 versus 74.3%), saves "candidates both money and campaign strain by having fewer elections" (78.2 versus 71.0%), did not "undercut the growth of the Louisiana Republican Party because it was assumed that two Democrats would always be in the run-off elections" (73.0 versus 66.3%), and that the law does not discriminate "against any political party or group" (70.8 versus 91.9%) as shown in Table 1. Party professionals, however, disagree whether the law was a mistake "now that we have had some experience with the way the open primary law operates;" 52.8% of the Democrats and only 13.7% of the Republicans take that view. In fact, a majority of the Democratic Party professionals (54.1%) agree that an attempt should "be made to return Louisiana to the system of closed primary elections in which Republicans and Independents CANNOT PARTICIPATE such as in our presidential primary elections," a view held by only 14.0% of their Republican counterparts.

Despite the fact that Democratic professionals, who feel an attempt should be made to return to the system of closed primary elections, believe the open elections system saves the state money (67.2%) and

Table 1. State party leaders' perceptions of the Louisiana open elections system, 1902 (in percentages).

	Democrats			Republicans		
	Yes	No	(N)	Yes	No	(N)
When it was passed by the state legislature, did you think that the open primary election law would:						
Save the state money by having fewer elections.....	76.5	23.5	(119)	74.3	25.7	(101)
Save candidates both money and campaign strain by having fewer elections.....	78.2	21.8	(119)	71.0	29.0	(100)
Undercut the growth of the Louisiana Republican Party because it was assumed that two Democrats would always be in the run-off elections.....	27.0	73.0	(111)	33.7	66.3	(104)
Provide a stimulus for the growth of the Louisiana Republican Party	45.5	54.5	(112)	71.4	28.6	(105)
Now that we have had some experience with the way the open primary law operates, do you think it was a mistake? .....	52.8	47.2	(123)	13.7	86.3	(117)
Should an attempt be made to return Louisiana to the system of closed primary elections in which Republicans [Democrats] and Independents CANNOT PARTICIPATE such as in our presidential primary elections? ....	54.1	45.9	(122)	14.0	86.0	(114)
The way the open primary law is functioning, do you feel it discriminates against any political party or group? .....	29.2	70.8	(120)	8.1	91.9	(111)

saves candidates money and campaign strain (65.6%), they overwhelmingly agree that the open elections system was a mistake (89.4%) perhaps because they perceive that the law stimulates Republican Party growth (54.0%) and that it discriminates (50.8%) as shown in Table 2. When controlled for race, moreover, it is white rather than black Democratic Party professionals who feel that the law discriminates. Though few in number their Republican counterpart hold similar views with respect to the open elections system. Substantial numbers feel that it saves the state money (61.5%), saves candidates

Table 2. State party leaders' perceptions of the Louisiana open elections system, those favoring a return to closed primary elections, 1982 (in percentages).

	Agree an attempt should be made to return to the system of closed primary elections					
	Democrats			Republicans		
	Yes	(N)	No	(N)	Yes	(N)
When it was passed by the state legislature, did you think that the open primary election law would:						
Save the state money .....	67.2	(64)	86.8	(53)	61.5	(13)
Save candidates money and campaign strain.....	65.6	(64)	92.3	(52)	57.1	(14)
Undercut growth of Louisiana Republican Party.....	26.6	(64)	26.7	(45)	64.3	(14)
Stimulate Louisiana Republican Party growth.....	54.0	(63)	34.0	(47)	38.5	(13)
Open primary law was a mistake.....	89.4	(66)	8.9	(56)	68.8	(16)
Open primary law discriminates.....	50.8	(63)	3.7	(54)	46.2	(13)

\*For the complete question wording see Table 1.

money and campaign strain (57.1%), was a mistake (68.8%), and that it discriminates (46.2%). Republican professionals who wish to return to closed primary elections, moreover, feel that the law undercut the growth of the Republican Party in Louisiana (64.3%). Not surprisingly, only 38.5% feel that the law stimulated party growth. Substantial numbers of Republican Party professionals take a contrary position as shown in Table 2.

#### Demographic and political characteristics

Given the strong sentiment to return to closed primary elections, it becomes important to identify the party professionals, especially among the electorally dominant Democrats, who hold those attitudes. The key demographic characteristics are education, family income, age, and place of residence as shown in Table 3. Support for a return to closed

Table 3 Demographic characteristics of Louisiana state party leaders who support the return to closed primary elections, 1902 (In percentages).

	Democrats	N	Republicans	N
<u>Education</u>				
High school graduate or less	39.1	(23)	--	--
Some college	58.6	(29)	18.5	(27)
College graduate	57.1	(70)	12.2	(82)
<u>Family income</u>				
Less than \$25,000	41.2	(34)	23.1	(13)
\$25-44,999	56.8	(44)	10.0	(30)
\$45,000 plus	61.4	(44)	13.4	(67)
<u>Age</u>				
18-39	67.3	(52)	19.4	(36)
40-49	47.6	(21)	13.8	(29)
50 plus	44.8	(49)	11.1	(45)
<u>Place of residence</u>				
City	62.2	(74)	15.0	(80)
Town	54.5	(22)	10.0	(20)
Rural area	30.8	(26)	14.3	(14)
<u>Sex</u>				
Male	55.9	(93)	11.4	(79)
Female	48.3	(29)	21.9	(32)

primary elections increases the more educated the Democratic Party professionals are (58.6% and 57.1% among those with some college education and college graduates) and the greater their family income is, the strongest support coming from those with family incomes of \$45,000 or more (61.4%). It decreases with increased age; the youngest age group, 18-39, has the strongest desire to return to closed primary elections (67.3%). Support, moreover, tends to decrease the less populated the area in which one lives; those living in rural areas have a support level of only 30.8% as compared with that of city dwellers (62.2%).

While the age relationship remains similar among Republican Party professionals, support for a return to closed primary elections diminishes as age increases, from 19.4% (age 18-39) to 11.1% (age 50 plus), it is reversed for education and family income. Support is greatest among those with some college education (18.5%) as opposed to college graduates (12.2%) and among those earning less than \$25,000 (23.1%) as opposed to those with the highest family incomes (13.4%/\$45,000 and over). Interestingly, it is the Republican Party female professionals, at a level nearly twice that of their male counterparts (21.9% versus 11.4%) in contrast to Democratic Party male professionals (55.9%), who support the return to closed primary elections.

Levels of party activity and political philosophy, too, among Democratic Party professionals, are related to support for the return to closed primary elections as shown in Table 4. Consistent with the age relationship examined earlier, the shorter the length of time one has been active in party politics, the greater the tendency is to support the return to closed primary elections (60% for those active less than 10 years as opposed to 45.5% for those active 20 years or more). Moreover, support is related to involvement in partisan politics either measured by the number of party, government, and campaign positions held (48.1%, 54.5%, and 73.9% respectively for categories 1-2, 3, or 4 or more) or by how often one was involved in recent state and national political campaigns (56.7%, all/most versus 45.8%, few/none). The relationships, however, do not hold up for Republican Party professionals. Political philosophy is another matter; conservative Democrats give the lowest level of support (39.4%) while the most conservative Republican Party professionals give the highest level of support (18.2%)--nearly twice that of those somewhat conservative (11.3%)--for the return to closed primaries.

Table 4 Political characteristics of Louisiana state party leaders who support the return to closed primary elections, 1982 (in percentages).

	Democrats	N	Republicans	N
<u>How long have you been active in party politics in Louisiana?</u>				
Less than 10 years	60.0	(50)	16.7	(54)
Between 10 and 20 years	55.2	(29)	10.5	(30)
More than 20 years	45.2	(42)	14.3	(21)
<u>How often have you been actively involved in recent state and national political campaigns?</u>				
Active in all/most	56.7	(97)	14.0	(100)
Active in few/none	45.8	(24)	15.3	(13)
<u>Summary of party, government, and campaign positions held</u>				
1-2	48.1	(77)	9.1	(44)
3	54.5	(22)	23.1	(26)
4 or more	73.9	(23)	13.6	(44)
<u>How would you describe your own political philosophy?</u>				
Very/somewhat liberal	55.7	(61)	--	--
Middle-of-the-road	70.8	(24)	--	--
Somewhat conservative	39.4	(33)	11.3	(52)
Very conservative	--	--	18.2	(44)

### Summary and discussion

A majority of the electorally dominant Democratic Party professionals, perhaps due to the beliefs that the open elections system discriminates against a party or group and stimulates Republican Party growth, support a return to closed primary elections. They tend to share the common demographic characteristics of being younger, college educated, urban and having high family incomes and political characteristics of being most recently very active in party politics and having middle-of-the-road and liberal

political philosophies. There is a much lower level of support, but support nonetheless, among Republican Party professionals though the pattern is not clearcut; the overriding motivation may be the correct perception that the open elections system undercuts their party (Cf. Kazez, 1983).

Interesting<sup>7</sup> Democratic and Republican party professionals misperceive the impact of the open elections system on Louisiana and its politics. The state did not save election administration costs through the elimination of one set of elections; in fact, average election administration costs increased from the last election cycle (\$1,871,284), 1971-1974, prior to the complete implementation of the new system to the election cycle immediately after (\$2,662,616), 1978-1981 (Anderson and Hadley, 1983b). Campaign expenditures remain among the highest in the United States. Five Democratic gubernatorial candidates and 1979 winner Republican David C. Treen spent a total of \$20.6 million (excluding in-kind contributions) (PAR Analysis, 1980); the 1983 expenditure totaled \$19 million when former Governor Edwin W. Edwards recently unseated incumbent Governor Treen.

The open elections system weakened Louisiana's political parties by requiring a ballot modification from party column to office block, making optional the necessity of party affiliation when running for political office, removing political parties from qualifying candidates for office, and institutionalizing multifactional candidacies over which the parties may be trying to get some control through candidate endorsements.

It remains to be seen whether the party professionals support for a return to closed primary elections will lead to future electoral reform.

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**House Bill No. 1252 by Representative Lancaster**

House Bill No. 1252 provides for a party primary election system with voting by any voters in the primary election of any party for any office. Representative Lancaster presented the bill.

Representative Lancaster explained that while House Bill No. 1252 retains the right of the major parties to nominate a candidate to the general election, it allows crossover voting by members of either political party and by independent voters in either party's primary election. He explained that a voter could cast some votes for one party's candidates and some votes for the other party's candidates but could cast only one vote per race. He stated that the bill seeks to remedy what he sees as the dilution of the importance of the party system.

Representative Copelin asked for clarification on the bill. Representative Lancaster replied that the three types of election systems in the country include an open election system such as is used in Louisiana, an open primary system such as provided for in House Bill No. 1252, and a closed primary system.

Representative Hebert announced that the fiscal note on the bill indicates increased costs to the state of \$6,876,985 for fiscal years 1995-96 and 1999-2000 and \$4,155,000 for fiscal years 1996-97 and 1998-99 due to the additional primary elections.

Representative Lancaster stated that while he favors a plurality vote determining the outcome of the first primary, the runoff primary elections would more accurately reflect the will of the people.

Ms. Elsie Cangelosi, Department of Elections and Registration, P. O. Box 14179, Baton Rouge, Louisiana, informed the committee that the fiscal note does not take into account the fact that every voting machine will have to be locked out in order to allow for crossover voting mixed between the two parties.

Representative Downer asked how such mixed voting would work as a practical matter at the polls and how independent candidates are not excluded from the system.

Representative Lancaster stated that the machines would not have to be locked out, because all candidates will be listed on the ballot and when the votes are counted, the top democrat and top republican for each office will enter the general election. He explained that an independent could get on the ballot through the use of the petition system as required by the U.S. Supreme Court.

Representative Copelin pointed out that, for instance, the republican in the general election could have received fewer votes in his primary than the second highest candidate in the democratic primary. Representative Lancaster acknowledged that this is the case with the open primary systems as used across the country, with the top democrat and the top republican facing each other in the general election at the conclusion of the primary elections.

Representative Bruneau noted that runoff elections would be held unnecessarily in cases where one candidate receives the majority of the total votes cast in the primaries. Representative Lancaster repeated that no other state has a system wherein the top republican and top democrat do not enter the general election regardless of differences among the various states' systems and that both parties have suffered under the open system by having less of a role in elections. He stated further that the open election system favors fringe candidates on the far left and far right political factions to the detriment of mainstream, moderate candidates of either party.

Representative Hebert announced that Mr. Jim Nickel, Louisiana Democratic Party, 263 Third Street, Suite 102, Baton Rouge, Louisiana, filed a witness card indicating the party's opposition to the legislation but did not testify.

Representative Copelin noted the necessity of technical amendments to the bill and further requested an amendment that would make the bill effective immediately. Representative Copelin offered a motion that the amendments be adopted to which there was no objection. Representatives Bowler, Bruneau, Copelin, Dorsey, Downer, Green, Guillory, Hebert, Lancaster, Stine, and Willard-Lewis voted yea, and the amendments were adopted by a vote of 11-0.

Representative Lancaster offered a motion that House Bill No. 1252 be reported with amendments to which Representative Copelin objected and made a substitute motion to defer action on the bill. The roll was called on the substitute motion which passed by a vote of 8-3 with Representatives Bruneau, Copelin, Dorsey, Downer, Green, Guillory, Hebert, and Willard-Lewis voting yea, and Representatives Bowler, Lancaster, and Stine voting nay. Action was deferred on House Bill No. 1252.

**House Bill No. 2158 by Representative Vitter**

House Bill No. 1576 by Representative Murray

House Bill No. 1576 provides for a closed party primary election system with candidates and voters participating in a first and second primary according to party affiliation, except the party state central committee may permit voting by unaffiliated voters. Representatives Murray and Lancaster presented the bill.

Representative Murray explained that the bill would allow voters to vote only for candidates who are members of their party in separate party primaries to determine who would be the candidate for that party in the general election. He noted that the bill would reinstate the system that was in place prior to the implementation of the open primary system.

Noting that only 21% of the registered voters in the state are republican, Representative Green pointed out that there was a democrat pitted against a republican in each runoff race in the last gubernatorial election, a fact he said indicates that the current system meets the same objective of a party system.

Representative Murray stated that the bill seeks to make party affiliation more meaningful and would lead to more moderate views on issues than in the past. He stated that rather than candidates of each party making statements designed to attract voters of the other party, candidates should adhere to party platforms and voters should vote according to the candidates' positions on certain issues. He added that Louisiana is the only state with the particular election system currently in operation.

Representative Green pointed that the provisions of the bill requiring a closed primary election for each party translates to 21% of the electorate automatically choosing one candidate in a runoff, while the larger portion of the voters would be excluded from choosing a preferred candidate in the primary if he happened to be a republican. Representative Murray pointed out that it would be a simple matter to switch parties in order to cast a vote for a candidate of one's choice in that case. Representative Green noted that many voters might prefer a candidate of one party for one office and of another party for another office. Representative Murray repeated that an intention of the bill is that voters express their support for candidates of one party or another.

Representative Green asked why the bill allows for crossover voting in the general election and not in the primary election under such a theory of party affiliation. Representative Murray answered that the voter would be able to choose the candidate to become the standard bearer for his party.

Representative Bruneau noted the need for technical amendments to the bill and offered a motion that the technical amendments be adopted. Representatives Bowler, Bruneau, Copelin, Dorsey, Green, Guillory, Hebert, Lancaster, Stine, and Willard-Lewis voted yea, and the technical amendment was adopted by a vote of 10-0.

Representative Bruneau noted that under provisions of the bill, independent voters would not be able to vote until the general election unless a particular party will allow the independents to vote in its primary, which he said would disenfranchise 200,000 voters. He noted further that the bills provides for a second primary election for each party followed by a general election and asked how much the additional election would cost.

Ms. Elsie Cangelosi, Department of Elections and Registration, P. O. Box 14179, Baton Rouge, Louisiana, informed the committee that one statewide election costs the state approximately \$3.5 million. Relative to the election cycle, she stated that the open primary would be held on the regular date, the runoff primary would be held on the regular date for the current general election, and the general election would be held in December.

Representative Bruneau stated that such system would not encourage voters to more actively participate in elections. He added that a candidate other than one who is running for political party office should present his philosophy to the entire electorate regardless of party affiliation. He noted that voter registration remains closed under provisions of the bill.

Representative Lancaster stated that rather than a primary candidate running for public office, he is running for the nomination of his political party, which would be followed by participation in the public general election.

Representative Bruneau responded that, whereas currently the majority rules, under the provisions of House Bill No. 1576 candidates who represent a minority of the voters could be in the general election, precluding the voice of the entire electorate from being heard in choosing its representatives.

Representative Hebert announced that the fiscal note on the bill indicates increased costs to the state of \$6,876,985 for fiscal years 1995-96 and 1999-2000 and \$4,155,000 for fiscal years 1996-97 and 1998-99 due to the additional primary elections.

Representative Bruneau stated his opinion that the motivation for the bill is that people were dissatisfied with the choice of candidates in the last gubernatorial general election.

Representative Copelin asked how the bill would benefit the parties. Representative Murray stated that many candidates run as democrats who do not have traditional democratic positions in their platform. He acknowledged that the Louisiana Democratic Party does not support the bill. Representative Lancaster answered that the party system has served the state and country well and that the republican party supports a system whereby each party is represented in the general election, with the addition of an independent candidate in the runoff using the petition process.

Representative Copelin pointed out that the U.S. Department of Justice has taken a position that states which change from an open system to a primary system must provide for plurality vote rather than majority vote and noted that the bill requires a majority vote. Representative Murray commented that it is difficult to predict rulings of the department because such rulings are sometimes inconsistent.

Mr. Jim Nickel, Louisiana Democratic Party, 263 Third Street, Suite 102, Baton Rouge, Louisiana, stated the party's opposition to the legislation. He pointed out that the open primary system has served to strengthen the republican party in the state and that the current system provides Louisiana voters with a free and unencumbered opportunity to participate in elections. He noted that a closed primary system would in many cases lead to runoff primaries which would in turn lead to increased costs of elections both to the taxpayers and to candidates. He noted that while Louisiana is the only state with an open primary system, it also has the highest voter turnout on a regular basis, which can be attributed to the open primary system.

Representative Copelin suggested an amendment which would make the bill effective immediately. He offered a motion that the amendment be adopted to which there was no objection. Representatives Bowler, Bruneau, Copelin, Dorsey, Green, Guillory, Hebert, Lancaster, Stine, and Willard-Lewis voted yea, and the amendment was adopted by a vote of 10-0.

Representative Lancaster offered a motion that House Bill No. 1576 bill be reported with amendments to which Representative Copelin objected and made a substitute motion to defer action on the bill. The roll was called on the substitute motion which passed 8-3 with

Representatives Bruneau, Copelin, Dorsey, Downer, Green, Guillory, Hebert and Willard-Lewis voting yea and Representatives Bowler, Lancaster, and Stine voting nay. Action on House Bill No. 1576 was deferred.

Ms. Cangelosi presented a number of recommendations made by the Department of Elections and Registration which she said would bring the law into compliance with actual election day procedures relative to conversion of automatic voting machines to printer type machines and to electronic voting machines since legislative authorization allowing new types of machines. She added that there are more and more parishes with voting machines capable of producing printer type or electronic election results and noted that in her opinion the proposed changes are technical.

Representative Irons proposed a motion that recommendations #3-7 and #10-13, which are the technical changes referred to above relative to voting machines, be adopted en globo. There was no objection to the motion which passed by a vote of 8-0 with Representatives Bowler, Bruneau, Dorsey, Green, Guillory, Irons, Lancaster, and Reilly voting yea.

Ms. Cangelosi noted that there had been a recommendation brought before the board relative to the form in which names may be signed on a recall petition that was no longer necessary in light of extensive discussion on the subcommittee bill draft on the subject.

The final recommendation presented by Ms. Cangelosi was made by the Department of State and relates to military absentee voting by mail. She explained that currently if a voter encloses his primary ballot envelope in the same return envelope with his presidential ballot, his primary ballot may remain sealed until the general election and not be counted. The amendment provides that such ballot envelope shall be marked "Presidential Ballot Only", she stated.

Representative Irons proposed a motion to adopt this recommendation. There was no objection to the motion which passed by a vote of 8-0 with Representatives Bowler, Bruneau, Dorsey, Green, Guillory, Irons, Lancaster, and Reilly voting yea.

#### House Study Request No. 15 by Representative Lancaster

Representative Lancaster presented House Study Request No. 15 of the 1993 Regular Session which requests the Committee on House and Governmental Affairs to study the feasibility and advisability of replacing the open election system with a party primary election system.

Representative Lancaster noted that the current system of electing officials in the state has now been in effect for 18 years and that Louisiana is the only state which does not retain the right of both political parties to have a nominee in the general election. He pointed out that the state's system is often erroneously referred to as an open primary system in which voters can vote as they choose, with the top Republican and top Democratic candidates engaging in a runoff. Representative Lancaster further explained that a closed primary system is one in which only those registered within a particular party can vote for the nominee in that party, with both parties running a candidate in the general election.

Representative Lancaster noted that Mississippi tried and failed to change to an open elections system when the U.S. Department of Justice determined that the open system discriminates against minorities. Representative Lancaster stated that he feels political parties lend stability to government and make the U.S. stand out among other democracies.

Professor Charles D. Hadley, University of New Orleans, Department of Political Science, New

Orleans, LA, appeared before the subcommittee to provide background information on the open election system. He stated that in his opinion the current system exists because Governor Edwards supported its implementation following the 1972 gubernatorial election to cut down on the effort and costs of campaigning. He noted that opposition to the open election system was widespread throughout the state at that time and that it was not precleared by the U.S. Department of Justice when first submitted.

Representative Bruneau stated that the system was not immediately precleared because of provisions allowing qualifying of candidates by petition.

Professor Hadley continued that the open election system cuts down on party competition and the number of initial candidates, as well as offering incumbents protection. He stated that the open system did not in fact reduce the cost of elections because the state assumed the responsibility of holding and promulgating the primary phase of elections and that it also rendered the role of political parties ineffective partly because party executive committees often automatically endorse incumbents. Professor Hadley noted that the political parties were helped by later legislation providing that political parties could add filing fees.

Professor Hadley referred the subcommittee to articles he had published on the subject of election systems and made them available to the members.

Representative Green asked the percentage of Republicans in the state's electorate. Representative Bruneau answered that Republicans make up 19.4% of the electorate under the open elections system. Representative Green noted that many statewide elections turn out to be matches between Republicans and Democrats under the present system and asked if this does not contest the argument that the open election system thwarts the efforts of Republicans to have a candidate pitted against a Democratic candidate in a runoff election. Professor Hadley responded that he believes the system discriminates against black candidates as well as Republicans. Representative Green noted that there does not seem to be an outcry from blacks or other minorities against the open election system. Professor Hadley agreed, but noted that in his opinion this is because Governor Edwards, who originally sought to implement the system, has always had solid support among the black community. He stated further that a closed primary system would enhance the growth of the Republican Party because more districts would probably run Republican candidates and more voters would register Republican in order to be able to vote.

Representative Bruneau stated that the state abandoned the closed primary system because of scandal in the 1978 congressional election. In answer to questions by him, Professor Hadley responded that up to that time Republicans made up only about 5% of the electorate and that there are many more Republicans in the legislature and in local office under the open primary system, as well as more blacks. Professor Hadley pointed out, however, that many Republicans in the legislature were elected as Democrats and converted to the Republican Party and that the reason there are more blacks in the legislature is because of the way districts are drawn.

Representative Bruneau stated that the open system allows for more public participation and choice by voters.

Representative Lancaster stated that from its onset he has thought the open system would weaken parties' influence on government and that this void of influence would be filled by

special interest groups' contributions to campaigns. He noted further that in his opinion the political party structure in Louisiana is as weak as any in the country and that historically under the party system many people registered as Democrats but voted as Republicans. Professor Hadley agreed with Representative Lancaster's assessments. Representative Lancaster stated that a strong party system would generate accountability and allow for something other than personalities and special interest groups to run the state.

Representative Lancaster noted that in the most recent gubernatorial primary, the Republican candidates garnered a total of approximately 70% of the vote, so that presumably a Republican should have been elected. He added that under the party primary system the votes would not have been split and that the Republican in that runoff election was not the Republican Party's choice of candidate.

Mr. Jim Nickel, representing the Louisiana Democratic Party, 263 Third Street, Suite 102, Baton Rouge, LA testified that there is no clear consensus among Democrats on the issue of election systems. He stated that the Democratic Party has concentrated its efforts on winning elections under the current system rather than changing the system and consequently has not acquired a wealth of knowledge on the issue to share with the subcommittee.

In response to inquiry by Representative Bruneau, Mr. Nickel stated that under the open election system, the Democratic Party has been able to develop a staff, a research component, an ability to actively engage in elections in many areas, and an ability to raise and expend funds as a party.

Representative Lancaster asked how the Democratic Party chooses the candidates it supports. Mr. Nickel answered that the bylaws provide for a majority vote of the state central committee to endorse candidates for state and federal office. He added that the parish committees have the responsibility to endorse candidates for local offices. Mr. Nickel stated further that the party attempts to assist Democratic candidates in races where it can make a difference rather than helping every Democratic candidate in every race. In response to Representative Lancaster, he stated that the party has never during his career endorsed a challenger against an incumbent Democrat.

Mr. Nickel agreed with Representative Lancaster that special interest has as much or more impact on campaigns than either party, which he said is why the Democratic Party supports as many incumbents as it does.

In response to questions by Representative Lancaster, Mr. Nickel stated that he would personally prefer not to be limited to a closed primary system.

Mr. Nickel commented that in his opinion it is the fault of the Democratic Party and not of the system in general that has weakened the party. Representative Lancaster stated that the same is true of the Republican Party, but that the current structure is difficult for both because of lack of impact of either party.

Mr. Dud Lastrapes, representing the Louisiana Republican Party, 209 Englewood Drive, Lafayette, LA, testified that the Republican Party has grown substantially as a result of the open primary system. He remembered that in the past people were discouraged from registering as Republicans because they couldn't vote in primaries. He agreed with Representative Lancaster that political parties lend stability to the political process, and that

the present system tends to blur the differences between the parties and the issues in a campaign so that voters vote for personalities. Mr. Lastrapes said a stronger party system would eliminate confusion for voters in determining what candidates stand for.

Representative Lancaster asked Mr. Lastrapes to describe the difficulty of the Republican Party in trying to formulate a procedure whereby a gubernatorial candidate is selected. Mr. Lastrapes answered that the state central committee is the policy making body of the party and determines the process. Representative Lancaster noted that the endorsement procedure has resulted in running candidates who do not always do well in the primary under the open elections system. Mr. Lastrapes agreed that the endorsement procedure presents a challenge and stated his preference for a party system of election.

Representative Lancaster commented that the state would be better served under a party system because the wide divergence between factions of both parties moves the focus away from political issues and philosophies.

Representative Bruneau commented that the majority of the voters should have the say in an election. He said that a party primary system would not necessarily guarantee a majority consensus.

#### IV. OTHER BUSINESS

Representative Bruneau reminded Ms. Cangelosi of his request that the commissioner of elections follow up on complaints made by voters that the bell on the new electronic voting machines in Orleans Parish is not loud enough to signal the end of voting. She answered that the voting machine company had been contacted and is reviewing the situation.

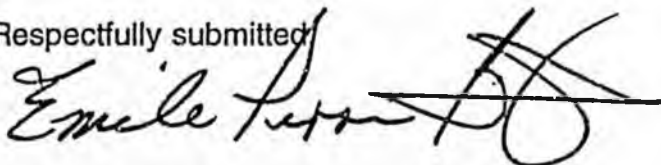
#### V. ANNOUNCEMENTS

Representative Bruneau commended Ms. Cangelosi for her continual efforts in the maintenance of the Code of Elections.

#### VI. ADJOURNMENT

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,



Emile "Peppi" Bruneau, Jr., Chairman  
Subcommittee on Elections of the  
Committee on House and Governmental Affairs

Date Approved: December 16, 1994

# Open primaries

BY MARY BONE

**W**hich states have open primaries? Voters are not required to register as members of a political party in the 25 states with some form of open primary, according to the Federal

Election Commission. In Alaska, California and Washington, voters participate in blanket primaries, listing all candidates of all parties for all offices. Voters may vote for one candidate for each office and are not restricted to voting in one political party. States with closed primaries enforce party discipline, prohibiting voters from voting for candidates outside of their own parties.

States also have unique approaches to primary voting. Indiana's primary is partially open. Voters are not required to list their party when registering to vote. At the polls they are asked for which party they are voting and given a ballot for that party.

Louisiana has a "unitary" or nonpartisan primary, in which the candidate who receives more than 50 percent of the vote is elected to the office; there is no election for that office in the general election. If no candidate receives the majority of votes, the two candidates with the most votes go on the general or runoff election ballot. The U.S. Supreme Court declared Louisiana's elections unconstitutional this year, ruling it violated federal law by not holding national elections in November. A federal judge ruled that Louisiana will have its state and local primary on Oct. 3. The runoff for that election will be on Nov. 3 and will also include a primary for national candidates. If a runoff is declared for national candidates, that election will take place Dec. 3.

For more information, contact the States Information Center. The SIC provides an inquiry and reference service to the states. Its staff responds to information requests from state government officials and staff on a variety of issues. Contact the SIC at (606) 244-8254, or by e-mail at [sic@csg.org](mailto:sic@csg.org).



*Voters may cross party lines in open-primary states.*

## States with open, blanket and unitary 1998 primaries



Open primaries
  Blanket primaries
  Unitary primaries (nonpartisan)

Source: Federal Election Commission

Mary Bone is manager of CSG's States Information Center.

## US Supreme Court Strikes Down Blanket Primaries in CA

The US Supreme Court on Monday, June 26th, struck down the California blanket primary system as a violation of the First Amendment rights of the state's political parties. The case involved a challenge by the state's Democratic, Republican, Libertarian and Peace and Freedom parties to the primary system put in place by Proposition 198 which was adopted by voters in 1996. Under the blanket primary system, each party held a party primary, with candidates of each respective party seeking that party's nomination for various offices. The winner of each of the party primaries, along with qualified independents, then ran in a general election. Voters were not restricted to voting in one party primary, but could vote for candidates for various offices in different party primaries. The issue fueling the challenge was the practice of allowing anyone, regardless of party affiliation, to vote in any of the party primaries; i.e., registered Democrats could vote in the Republican gubernatorial primary, and vice-versa. This allowed non-party members to have a say in who the party nominated for governor.

The various parties challenging the provisions of Prop. 198 asserted that as political parties they had, as an element of the constitutional freedom of speech and association, the right to determine who was eligible to participate in the party's process of selecting a nominee. The nominee was, the parties urged, the duly appointed standard-bearer for the party and non-party members should have no part in his selection. This practice is what has been termed "cross-over voting", a phrase popularized recently in the Republican presidential nomination process, where Sen. McCain was believed to have had the ability to attract non-Republican voters into the Republican presidential nomination process.

The Court held that, while the states may have some compelling state interests in conducting fair and open elections, this blanket primary system was to great an infringement on the freedoms of speech and association of the parties and their registered membership to justify the interference of the state. The Court reiterated the permissible infringements, such as prohibiting parties from denying registration or participation on the basis of race, but struck down the practice of cross-over voting in party primaries.

Louisiana operates what is described by the Court as a nonpartisan blanket primary system. (The term "open primary" as used in many other states does not refer to the same system as is used in Louisiana. Rather, "open primary" in these other states refers to a party primary system in which voters select the party primary in which they will participate at the time of voting.) In Louisiana, while political parties are free to endorse candidates, using selection methods adopted internally *by the party*, there is no real "nomination" process which is designed to pit one party's nominee against another party's nominee in a general election -- in other words, in Louisiana there is no party primary. Rather, all candidates who meet some basic qualifications, which are applicable across the board, run in a primary. In the event that no one candidate gets a majority of the total vote cast, the two highest vote getters participate in a run-off. The Court spoke to the constitutionality of what it terms a "non-partisan blanket primary" where parties can nominate candidates for a primary, through internal means, who are joined in the primary by qualifying independents. The top two vote getters, regardless of party affiliation, proceed to a run-off. The Court cites the "non-partisan blanket primary" as a possible constitutional alternative to the California system.

The decision (by Justice Scalia), along with the concurrence (by Justice Kennedy) and the dissent (by Justices Stevens and Ginsburg) can be found at:

<http://supct.law.cornell.edu/supct/html/99-401.ZO.html>.

**HB**

**240**



**HB**

**242**

# Alaska State Legislature

## House of Representatives

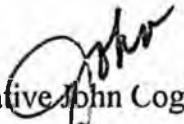
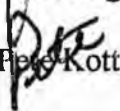
RULES COMMITTEE, CHAIR  
COMMITTEE ON COMMITTEES  
LABOR & COMMERCE COMMITTEE  
MILITARY & VETERANS AFFAIRS  
LEGISLATIVE COUNCIL



INTERIM:  
10928 EAGLE RIVER RD., SUITE 141  
EAGLE RIVER, AK 99577

SESSION:  
ALASKA STATE CAPITOL  
JUNEAU, AK 99801

### Memorandum

TO: Representative  John Coghill  
FROM: Representative  Pete Kott  
SUBJECT: Request for Hearing, HB 242  
DATE: April 10, 2001

I request that HB 242, an Act relating to reemployment of and medical benefits for retired members of the teachers' retirement system and public employees' retirement system; relating to the inclusion of cost-of-living differentials on compensation and benefits under the public employees' retirement system; and providing for an effective date, be scheduled for a hearing in the State Affairs Committee as soon as possible.

The following are included with this request:

- Current version of the bill
- Sponsor Statement
- Sectional Summary
- Fiscal Note

Point of Contact: Roger Wortman, X6848

**Representative Pete Kott**

JUNEAU OFFICE (907) 465-3777 TOLL FREE 1-800-861-KOTT(5688) FAX (907) 465-2819  
EAGLE RIVER OFFICE (907) 694-8944 FAX (907) 694-8945 E-MAIL: representative\_pete\_kott@legis.state.ak.us  
<http://www.akrepublicans.org/Kott.htm>



# Alaska State Legislature

## House of Representatives

RULES COMMITTEE, CHAIR  
COMMITTEE ON COMMITTEES  
LABOR & COMMERCE COMMITTEE  
MILITARY & VETERANS AFFAIRS  
LEGISLATIVE COUNCIL



INTERIM:  
10928 EAGLE RIVER RD., SUITE 141  
EAGLE RIVER, AK 99577

SESSION:  
ALASKA STATE CAPITOL  
JUNEAU, AK 99801

### Sponsor Statement

HB 242

#### Public Workforce Retention Legislation Public Employees' and Teachers' Retirement Systems

This bill will make modest improvements to Alaska retirement statutes to assist Alaska's public employers in attracting and retaining qualified workers as workforce shortages become more pronounced. Employers throughout the state are having difficulty filling vacancies. This is occurring at all levels—teaching, professional, technical and clerical. It is clear from demographic trends that the workforce is aging. Attracting qualified employees will become more and more difficult over the next two decades.

This legislation incorporates a three-pronged legislative approach to address employee retention through the retirement systems:

1. Retiree Return Incentives—brings retirees back into the workforce.
2. Improvements to PERS and TRS Tier II and III medical benefits:
  - Add full system paid retiree medical benefits at age 60 and minimum service of 5 years for PERS Tier II, 10 years for PERS Tier III, and 8 years for TRS.
  - Add full system paid medical benefits for Tier II and Tier III members upon reaching 25 years of service for Teachers and Police/Fire members and upon reaching 30 years of service for Others.
3. Change geographic differential language to eliminate confusion and improve recruitment to and retention in high-cost areas of the state.

The retiree return incentive removes a disincentive for retirees to return to full time employment. Currently, a retiree who wishes to return to permanent public employment must forego retirement benefit payments during their period of return. The change we propose would allow the retiree to continue receiving benefit payments after returning to public employment. To keep this cost-neutral, an employee selecting this option would not accrue additional retirement credit during the period of return.

Public employees hired after June 30, 1986 and teachers hired after June 30, 1990 fall into the Tier II retirement plan. Tier II employees are not eligible for system paid

**Representative Pete Kott**

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<http://www.akrepublicans.org/Kott.htm>



**Sponsor Statement (continued)**

**HB 242**

medical benefits until age 60, and then the retirement plan only pays one half the premium. The legislation includes medical benefit enhancements to prompt employees to stay in the system an additional 5 or more years to qualify for system paid medical coverage. The fiscal impact associated with this enhancement is a modest 0.17% of payroll each year.

The change in geographic differential will improve recruitment to rural areas of the state for such organizations as the State Troopers, the Department of Fish and Game, and the Department of Health and Social Services. This change carries no actuarial cost to the Public Employees' Retirement System.

I urge your support for this legislation.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 242  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to reemployment of and BRU: Centralized Admin. Services  
medical benefits of PERS & TRS members..." Component: Retirement & Benefits  
 Sponsor: Representative Kott  
 Requester: House State Affairs Component Number: 64

**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	41.0	41.0	41.0	41.0	41.0	41.0
Travel						
Contractual	50.0	15.0	15.0	15.0	15.0	15.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>91.0</b>	<b>56.0</b>	<b>56.0</b>	<b>56.0</b>	<b>56.0</b>	<b>56.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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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 (PERS, TRS, JRS)	91.0	56.0	56.0	56.0	56.0	56.0
<b>TOTAL</b>	<b>91.0</b>	<b>56.0</b>	<b>56.0</b>	<b>56.0</b>	<b>56.0</b>	<b>56.0</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation will allow certain retirees who return to permanent employment the option to elect whether to continue receiving a retirement benefit (and forego additional retirement benefit accrual) or to receive additional retirement benefit accrual (and suspend receiving a retirement benefit). Additional member counseling and education will be necessary to assist reemployed retirees in their selection. A Retirement and Benefits Technician position will be needed to assist with member counseling. Contractual costs are included for computer programming to incorporate changes to the law and to cover the publication of educational materials.

Prepared by: Guy Bell, Director Phone 465-4471  
 Division: Retirement & Benefits Date/Time 04/13/01  
 Approved by: Jim Duncan, Commissioner Date 4/13/01  
 Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

**House Bill 242**  
**Reemployment of and Medical Benefits for Public Retirees**  
**Sectional Analysis**

**Sections 1 and 2: Teachers' Retirement System Retiree Return Initiative**

Adds an incentive for a retired teacher to return to full time teaching for a TRS employer. With this change, a retired teacher who took normal retirement may elect a new option when reemployed. The new option:

- allows the teacher to elect continuation of retirement benefit payments during reemployment;
- would stop additional retirement benefit accrual;
- must be selected within 30 days of reemployment; and
- is not available to RIP participants

If the retired teacher does not make the election, the current method would apply. Under the current method, the teacher would:

- stop receiving a retirement benefit during reemployment; and
- accrue additional retirement benefit during period of reemployment.

Fiscal Impact: NONE

**Section 3: Teachers' Retirement System Tier II Medical Benefits Enhancement**

Adds an incentive for teachers to stay in the TRS. Currently Tier II retirees are not eligible for system provided medical coverage until age 60—at which time the retirement system pays ½ the medical premium and the retiree is responsible for the other ½ — regardless of how many years the teacher taught in TRS.

With this change a teacher who stays an additional five years beyond the normal retirement service requirement of twenty years will be eligible for full system paid medical coverage. In addition, all retired teachers will be provided full system paid medical coverage at age 60.

We see this combination of incentives as a method of retaining teachers and attracting second and third career individuals to teaching.

Fiscal Impact: 0.17% of TRS salaries

**Sections 4 and 5: Public Employees' Retirement System Retiree Return Initiative**

Adds an incentive for a retired public employee to return to full time employment for a PERS employer. With this change, a retired public employee who took normal retirement may elect a new option when reemployed. The new option:

- allows the employee to elect continuation of retirement benefit payments during reemployment;
- would stop additional retirement benefit accrual;
- must be selected within 30 days of reemployment; and
- is not available to RIP participants

If the retired public employee does not make the election, the current method would apply. Under the current method, the teacher would:

- stop receiving a retirement benefit during reemployment; and
- accrue an additional retirement benefit during the period of reemployment.

Groups affected: all PERS employees including peace officers, professional, technical and clerical workers.

Fiscal Impact: NONE

#### **Section 6: Public Employees' Retirement System Tier II Medical Benefits Enhancement**

Adds an incentive for public employee to stay in the PERS through 30 years. Currently a Tier II retiree is not eligible for system provided medical coverage until age 60—at which time the retirement system pays ½ the medical premium and the retiree is responsible for the other ½—regardless of how many years the person is in PERS.

With this change a public employee who stays in PERS employment a total of 30 years will be eligible for full system paid medical coverage. In addition, all retired public employees will be provided full system paid medical coverage at age 60.

We see this combination of incentives as a method of retaining public employees and attracting second and third career individuals to public employment.

Fiscal Impact: 0.17% of PERS salaries

#### **Section 7: Geographic Differential Amendment**

In 1986, a law was enacted changing the way geographic differential pay is used in calculating a retirement benefit. This change only affects members first hired after July 1, 1986.

Under the pre-1986 law, geographic pay differential was included in a person's retirement benefit calculation as regular salary, regardless of that person's total length of service in a geographic differential pay area. The law was changed to prevent abuse. An extreme example: John, a Fisheries Biologist who has spent his 27 year career in Anchorage, is transferred to Nome, where he spends his final three years, and retires with 30 years of service. While in Nome, he receives a 34% pay differential. His retirement benefit is 34% higher than it would have been had John finished his career in Anchorage.

The 1986 change adds two criteria for inclusion of geographic differential in a person's retirement benefit:

- The person must spend at least 50% of his/her career in an area with a pay differential.
- For a year's salary plus differential to be included in the benefit calculation, the pay differential must be "in a comparable amount or of at least that many steps" when compared to the entire pay differential service.

Again, this change applies only to employees hired after July 1, 1986. The Division of Retirement and Benefits has had great difficulty explaining and applying the second clause. The division's approach is to (1) determine that the person has spent at least 50% of his/her career in a geographic differential area; and (2) list all the geographic differential years and find the midpoint differential amount, then, for geographic differential to be included in total salary for a year, require that that year include at least the midpoint differential percentage.

Under this proposed legislation, a person like John (the person from the extreme example above) would be disqualified from including geographic pay differential in his retirement benefit calculation because he did not spend at least 50% of his career in a pay differential area.

Employees with the Department of Public Safety and other departments that regularly transfer employees between geographic differential areas are concerned over the application of the geographic differential. For the affected departments, this has raised morale and career planning issues. We propose to resolve these problems and the confusion by deleting the clause "in a comparable amount or of at least that many steps" from the law. With the change, a person must still spend at least 50% of his or her career in a geographic differential area for the differential to be applied to a retirement benefit.

Fiscal Impact: The Division of Retirement and Benefits will submit a zero fiscal note associated with this change. Our actuarial firm does not consider the current geographic differential law when calculating retirement system liability. Instead, they use current total salary (including any geographic differential) and project it forward to the expected retirement date to calculate system liabilities. That methodology won't change as a result of this legislation. For some Tier II members, the system will have a larger retirement benefit liability than would occur in the absence of this legislation. However, the amount of that liability cannot be predicted and it will depend on each member's total employment history.

**Section 8.** Allows Public Employees' and Teachers' Retirement Boards to adopt regulations immediately to implement this legislation.

**Sections 9 and 10.** Effective date clauses.

## HB 242 – Continued (Actuarial Cost)

This legislation has three basic components:

1. Retiree Return Incentive
2. Improvements to Tier II Medical Benefits to address employee attraction and retention
3. Simplification of Geographic Differential language

### 1. Retiree Return Incentive

The retiree return incentive removes a disincentive for retirees to return to full time employment. Currently, a retiree who wishes to return to permanent public employment must forego retirement benefit payments during their period of return. The change we propose would allow the retiree to continue receiving benefit payments after returning to public employment. To keep this cost-neutral, an employee would not accrue additional retirement credit during the period of return. This provision will have no actuarial impact.

### 2. Improvements to Tier II Medical Benefits to address employee attraction and retention.

Currently, regardless of their length of service, Tier II retirees are not eligible for system paid medical coverage until age 60, at which point the retirement system pays half the cost. With the change proposed in this legislation, a Tier II peace officer or teacher with 25 years of such service, or a general public employee with 30 years of service, will qualify for system provided and paid medical coverage. In addition, any retiree over the age of 60 will receive system provided and paid medical coverage. This change will increase PERS and TRS employer rates a modest 0.17% of payroll.

### 3. Simplification of Geographic Differential language

This change will not have an impact on employer rates. Our actuarial firm does not consider the current geographic differential law when calculating retirement system liability. Instead, they use current total salary (including any geographic differential) and project it forward to the expected retirement date to calculate system liabilities. That methodology won't change as a result of this legislation.

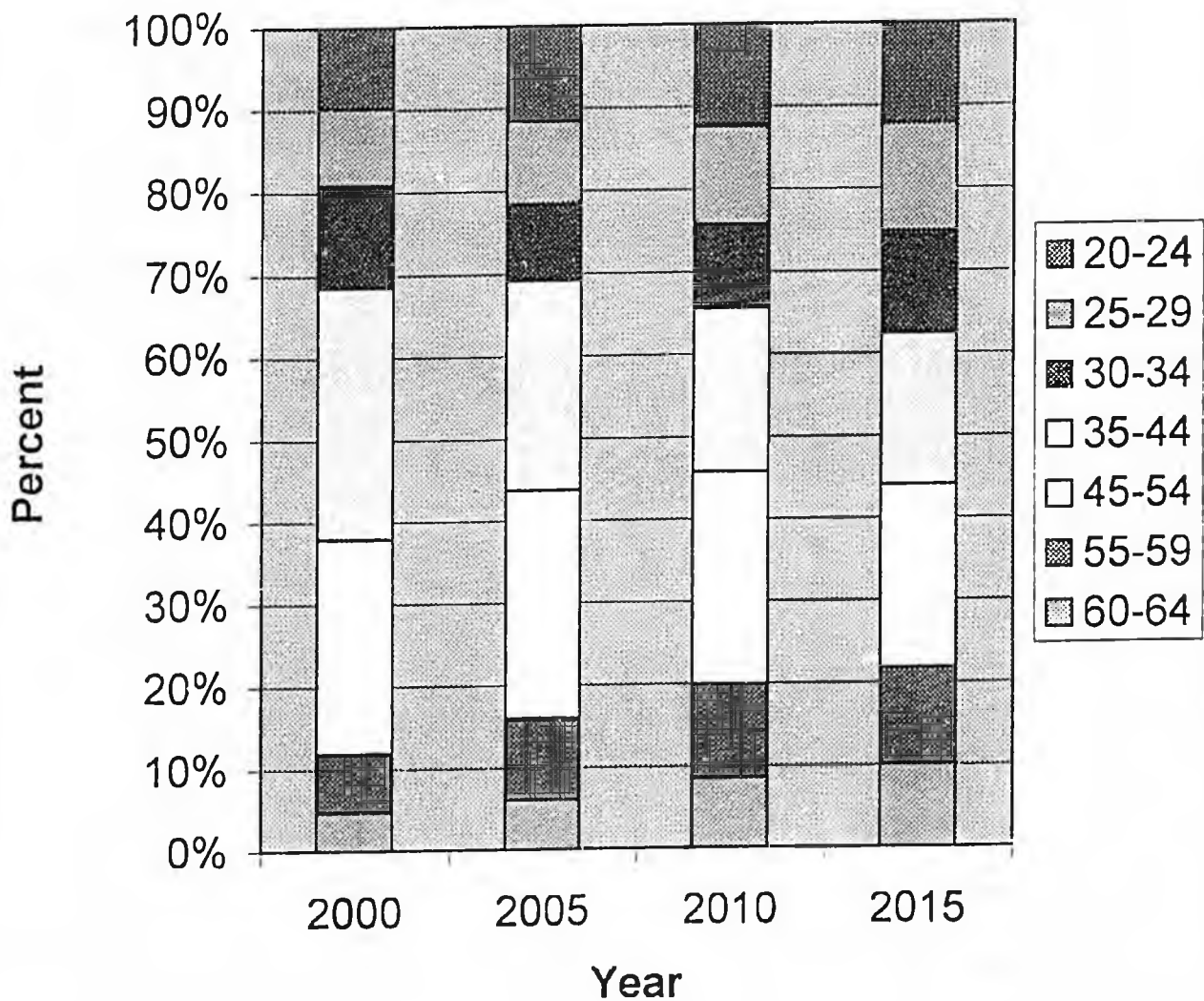
For some Tier II members, the system will have a larger retirement benefit liability than would occur in the absence of this legislation. However, the amount of that liability cannot be predicted and it will depend on each member's total employment history.

AK Population Projections

Source: AK Dept. of Labor

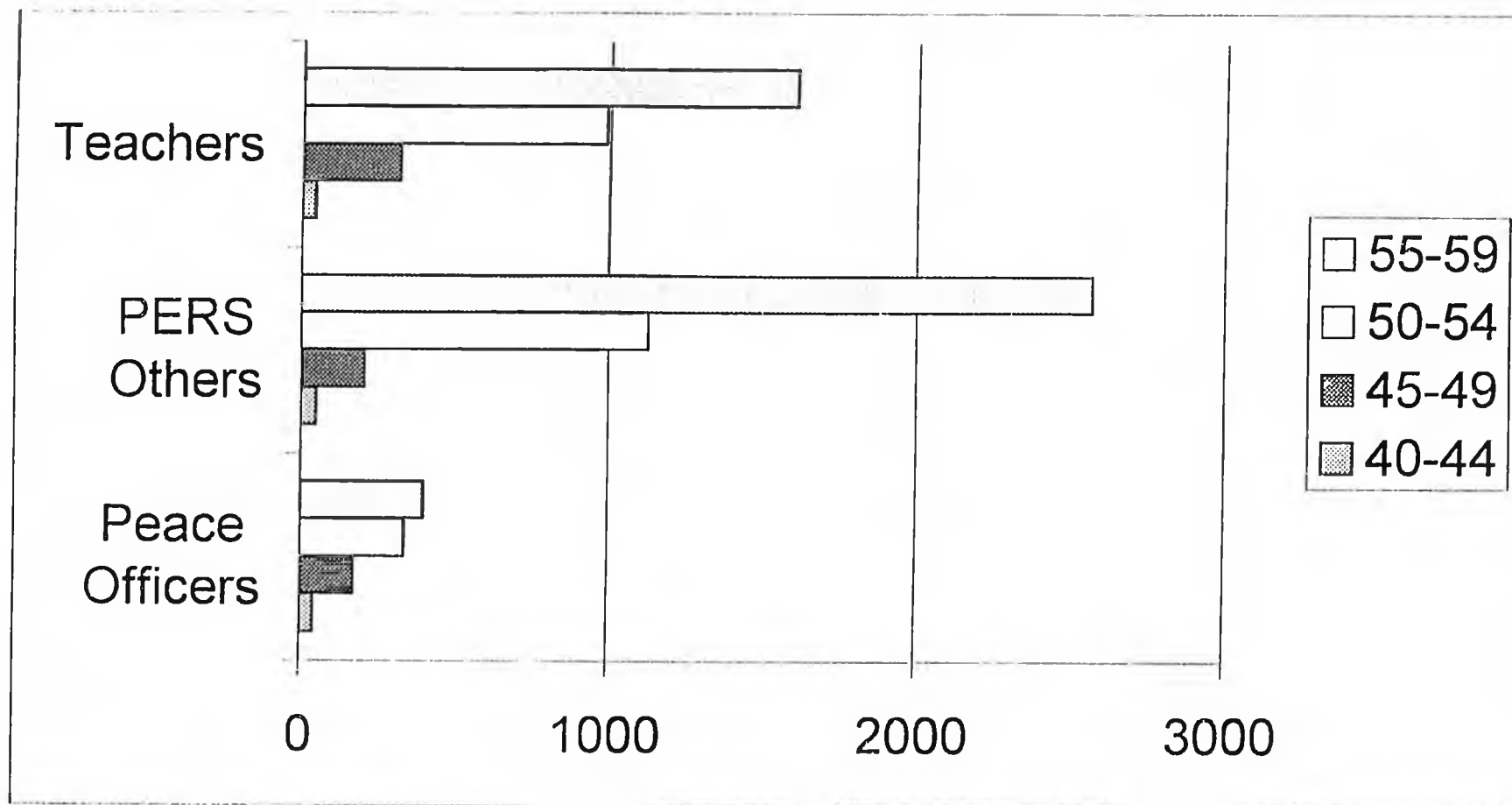
	2000	2005	2010	2015
60-64	17,827	24,511	35,836	43,120
55-59	27,484	39,862	48,060	50,374
45-54	99,430	111,204	108,799	95,507
35-44	116,831	102,570	83,608	79,227
30-34	47,147	36,967	42,569	53,033
25-29	35,238	40,582	50,551	56,575
20-24	37,869	46,784	52,451	52,241

### Alaska Population Distribution



## Retiree Age Summary June 30, 1999

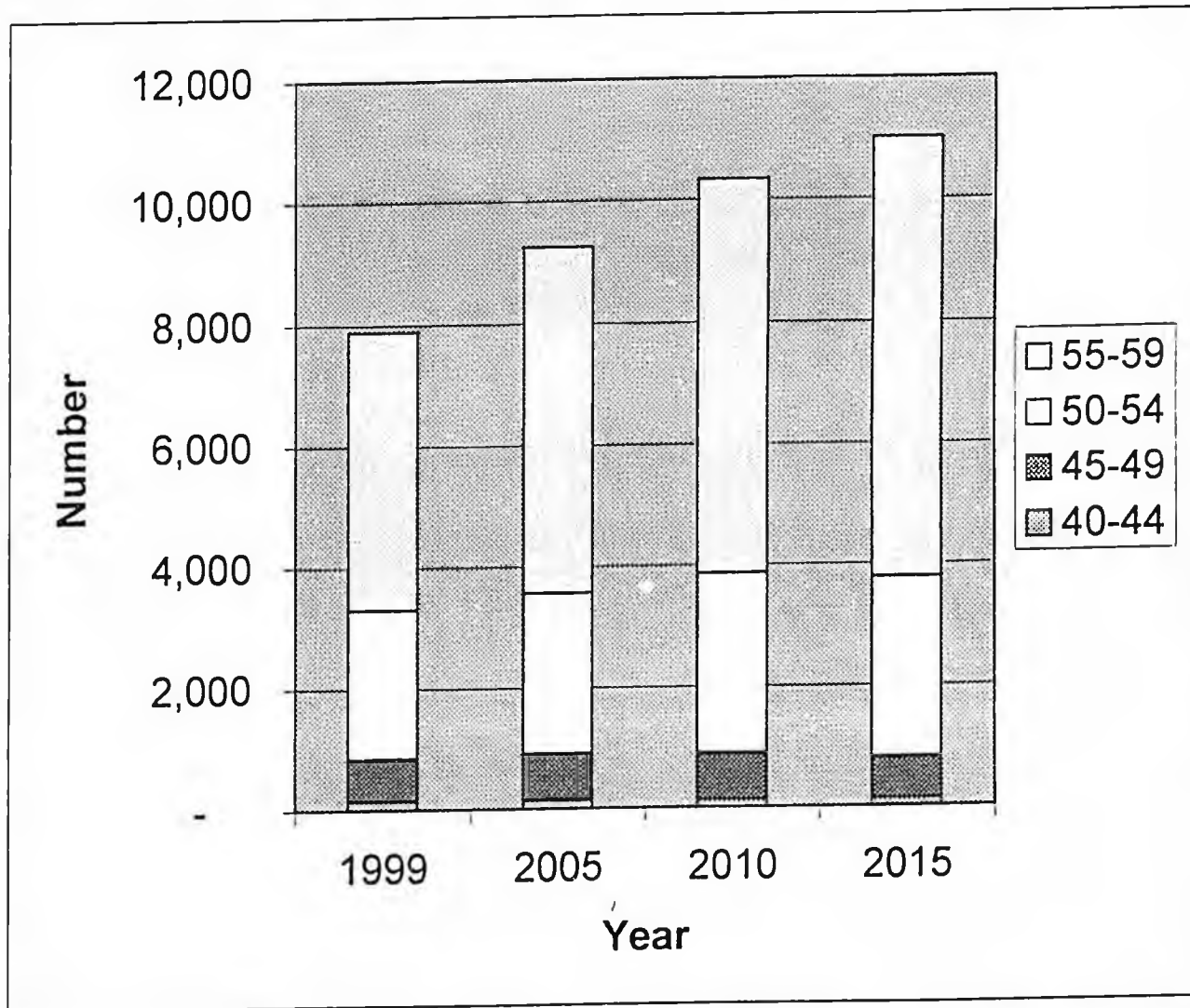
	40-44	45-49	50-54	55-59
Peace Officers	45	176	340	402
PERS Others	51	208	1129	2570
Teachers	45	319	991	1607



Source: Alaska Division of Retirement and Benefits

# PERS TRS Projected Retirees Between Ages 40 and 59

	1999	2005	2010	2015
40-44	141	139	126	119
45-49	703	764	764	689
50-54	2,460	2,660	2,967	2,967
55-59	4,579	5,684	6,471	7,222



Source: Alaska Division of Retirement and Benefits, US Census Bureau /PERS and TRS population statistics.

## Sectional Analysis

### HB 242

This sectional summary should not be considered an authoritative interpretation of the bill, with the bill itself the best statement of its contents.

#### **Sections 1 and 2: Teachers' Retirement System Retiree Return Initiative**

Adds an incentive for a retired teacher to return to full time teaching for a TRS employer. With this change, a retired teacher who took normal retirement may elect a new option when reemployed. The new option:

- allows the teacher to elect continuation of retirement benefit payments during reemployment;
- would stop additional retirement benefit accrual;
- must be selected within 30 days of reemployment; and
- is not available to RIP participants

If the retired teacher does not make the election, the current method would apply. Under the current method, the teacher would:

- stop receiving a retirement benefit during reemployment; and
- accrue additional retirement benefit during period of reemployment.

Fiscal Impact: NONE

#### **Section 3: Teachers' Retirement System Tier II Medical Benefits Enhancement**

Adds an incentive for teachers to stay in the TRS. Currently Tier II retirees are not eligible for system provided medical coverage until age 60—at which time the retirement system pays ½ the medical premium and the retiree is responsible for the other ½ — regardless of how many years the teacher taught in TRS.

With this change a teacher who stays an additional five years beyond the normal retirement service requirement of twenty years will be eligible for full system paid medical coverage. In addition, all retired teachers will be provided full system paid medical coverage at age 60.

We see this combination of incentives as a method of retaining teachers and attracting second and third career individuals to teaching.

Fiscal Impact: 0.17% of TRS salaries

#### **Sections 4 and 5: Public Employees' Retirement System Retiree Return Initiative**

Adds an incentive for a retired public employee to return to full time employment for a PERS employer. With this change, a retired public employee who took normal retirement may elect a new option when reemployed. The new option:

- allows the employee to elect continuation of retirement benefit payments during reemployment;
- would stop additional retirement benefit accrual;

- must be selected within 30 days of reemployment; and
- is not available to RIP participants

If the retired public employee does not make the election, the current method would apply. Under the current method, the teacher would:

- stop receiving a retirement benefit during reemployment; and
- accrue an additional retirement benefit during the period of reemployment.

Groups affected: all PERS employees including peace officers, professional, technical and clerical workers.

Fiscal Impact: NONE

### **Section 6: Public Employees' Retirement System Tier II Medical Benefits Enhancement**

Adds an incentive for public employee to stay in the PERS through 30 years. Currently a Tier II retiree is not eligible for system provided medical coverage until age 60—at which time the retirement system pays ½ the medical premium and the retiree is responsible for the other ½—regardless of how many years the person is in PERS.

With this change a public employee who stays in PERS employment a total of 30 years will be eligible for full system paid medical coverage. In addition, all retired public employees will be provided full system paid medical coverage at age 60.

We see this combination of incentives as a method of retaining public employees and attracting second and third career individuals to public employment.

Fiscal Impact: 0.17% of PERS salaries

### **Section 7: Geographic Differential Amendment**

In 1986, a law was enacted changing the way geographic differential pay is used in calculating a retirement benefit. This change only affects members first hired after July 1, 1986.

Under the pre-1986 law, geographic pay differential was included in a person's retirement benefit calculation as regular salary, regardless of that person's total length of service in a geographic differential pay area. The law was changed to prevent abuse. An extreme example: John, a Fisheries Biologist who has spent his 27 year career in Anchorage, is transferred to Nome, where he spends his final three years, and retires with 30 years of service. While in Nome, he receives a 34% pay differential. His retirement benefit is 34% higher than it would have been had John finished his career in Anchorage.

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Again, this change applies only to employees hired after July 1, 1986. The Division of Retirement and Benefits has had great difficulty explaining and applying the second clause. The division's approach is to (1) determine that the person has spent at least 50% of his/her career in a geographic differential area; and (2) list all the geographic differential years and find the midpoint differential amount, then, for geographic differential to be included in total salary for a year, require that that year include at least the midpoint differential percentage.

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Employees with the Department of Public Safety and other departments that regularly transfer employees between geographic differential areas are concerned over the application of the geographic differential. For the affected departments, this has raised morale and career planning issues. We propose to resolve these problems and the confusion by deleting the clause "in a comparable amount or of at least that many steps" from the law. With the change, a person must still spend at least 50% of his or her career in a geographic differential area for the differential to be applied to a retirement benefit.

**Fiscal Impact:** The Division of Retirement and Benefits will submit a zero fiscal note associated with this change. Our actuarial firm does not consider the current geographic differential law when calculating retirement system liability. Instead, they use current total salary (including any geographic differential) and project it forward to the expected retirement date to calculate system liabilities. That methodology won't change as a result of this legislation. For some Tier II members, the system will have a larger retirement benefit liability than would occur in the absence of this legislation. However, the amount of that liability cannot be predicted and it will depend on each member's total employment history.

**Section 8.** Allows Public Employees' and Teachers' Retirement Boards to adopt regulations immediately to implement this legislation.

**Sections 9 and 10.** Effective date clauses.

# FISCAL NOTE

STATE OF ALASKA  
2001 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
Title: An Act relating to reemployment of BRU: Centralized Administrative Services  
and medical benefits for retired ... Component: Retirement and Benefits  
Sponsor: \_\_\_\_\_  
Requester: \_\_\_\_\_ Component Number: 64

**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	41.0	41.0	41.0	41.0	41.0	41.0
Travel						
Contractual	55.0	25.0	25.0	25.0	25.0	25.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>96.0</b>	<b>66.0</b>	<b>66.0</b>	<b>66.0</b>	<b>66.0</b>	<b>66.0</b>

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 (PERS; TRS)	96.0	66.0	66.0	66.0	66.0	66.0
<b>TOTAL</b>	<b>96.0</b>	<b>66.0</b>	<b>66.0</b>	<b>66.0</b>	<b>66.0</b>	<b>66.0</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation will allow certain retirees who return to permanent employment the option to elect whether to continue receiving a retirement benefit (and forego additional retirement benefit accrual) or to receive additional retirement benefit accrual (and suspend receiving a retirement benefit). Additional member counseling and education will be necessary to assist reemployed retirees in their selection. A Retirement and Benefits Technician position will be needed to assist with member counseling. Contractual costs are included for computer programming to incorporate changes to the law and to cover the publication of educational materials.

Analysis continued on page 2.

Prepared by: Guy Bell, Director Phone 465-4471  
Division: Retirement and Benefits Date/Time March 23, 2001  
Approved by: Commissioner Jim Duncan Date March 23, 2001  
Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

## Fiscal Note (Retiree Return) – Continued

### Actuarial Cost

This legislation has three basic components:

1. Retiree Return Incentive
2. Improvements to Tier II Medical Benefits to address employee attraction and retention
3. Simplification of Geographic Differential language

#### 1. Retiree Return Incentive

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Currently, regardless of their length of service, Tier II retirees are not eligible for system paid medical coverage until age 60, at which point the retirement system pays half the cost. With the change proposed in this legislation, a Tier II peace officer or teacher with 25 years of such service, or a general public employee with 30 years of service, will qualify for system provided and paid medical coverage. In addition, any retiree over the age of 60 will receive system provided and paid medical coverage. This change will increase PERS and TRS employer rates a modest 0.17% of payroll.

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# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 242  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to reemployment of and BRU: Centralized Admin. Services  
medical benefits of PERS & TRS members..." Component: Retirement & Benefits  
 Sponsor: Representative Kott  
 Requester: House State Affairs Component Number: 64

**Expenditures/Ravenues** (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	41.0	41.0	41.0	41.0	41.0	41.0
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<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation will allow certain retirees who return to permanent employment the option to elect whether to continue receiving a retirement benefit (and forego additional retirement benefit accrual) or to receive additional retirement benefit accrual (and suspend receiving a retirement benefit). Additional member counseling and education will be necessary to assist reemployed retirees in their selection. A Retirement and Benefits Technician position will be needed to assist with member counseling. Contractual costs are included for computer programming to incorporate changes to the law and to cover the publication of educational materials.

Prepared by: Guy Bell, Director Phone 465-4471  
 Division: Retirement & Benefits Date/Time 04/13/01  
 Approved by: Jim Duncan, Commissioner Date 4/13/01  
 Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

## HB 242 – Continued (Actuarial Cost)

This legislation has three basic components:

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2. Improvements to Tier II Medical Benefits to address employee attraction and retention
3. Simplification of Geographic Differential language

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**HB**

**248**

# Alaska State Legislature

Co-Chair  
House Finance Committee  
Subcommittee Chair  
Environmental Conservation  
Courts



During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
50 Front Street, Suite 203  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-7157

*Representative William K. Williams*

January 27, 2002

Representative John Coghill  
Chairman, House State Affairs Committee  
Room 102A, State Capitol  
Juneau, Alaska 99801

Re: HB 248

Dear Representative Coghill:

Enclosed is a sponsor statement and letters of support for HB 248. Please schedule this bill for a hearing at the 8:00 a.m. meeting of the House State Affairs Committee on February 7, 2002. Thank you.

Sincerely,

Representative Bill Williams

# Alaska State Legislature

Co-Chair  
House Finance Committee  
Subcommittee Chair  
Environmental Conservation  
Courts



Representative William K. Williams

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## Sponsor Statement For HB 248

### 20 Year Retirement Provision for Juvenile Officer

Presently, Alaska law (AS 39.35.370(a)(2)) states that peace officers and firefighters are entitled to normal retirement benefit after 20 years of service. HB 248 adds "juvenile officers" to AS 39.35.370(a)(2) as employees eligible to participate in the 20 year retirement system. The term "juvenile officer" is defined to mean a "youth counselor, unit leader, or superintendent in a juvenile detention or juvenile correctional facility". Generally speaking, these "juvenile officers" are the employees who work with juveniles *inside* a correctional facility. They have the same or very similar training, and authority to restrain and arrest individuals as other peace officers.

Juveniles who are in a correctional facility are there for reasons such as commission of a serious crime, mental health problems, substance abuse problems, or a combination of all of these issues. Such juveniles demand the highest level of care and rehabilitation efforts, while at the same time, presenting the highest level of risk to juvenile officers.

Presently, probation officers and other employees working with juveniles *outside* a correctional facility qualify for a 20 year retirement. As presently written, the statutes create an uneven situation where a probation officer working outside a correctional facility could arrest and deliver a juvenile to a correctional facility. The officer outside the facility would be entitled to a 20 year retirement while the officers inside the facility are not. Adult correctional officers also qualify for a 20 year retirement.

Providing a 20 year retirement system for juvenile officers is fair since these employees perform the same or very similar work duties as other employees charged with preserving public safety. It also creates an incentive for existing juvenile officers to remain in their positions and will attract qualified applicants for new positions.

## **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 of the 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.

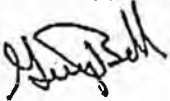
During the course of their duties, youth counselors must intervene in fights between residents, they face the risk of being assaulted themselves, and they must endure threats to their well-being and that of their families. Facility staff have experienced the trauma of a resident death by suicide or serious 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 47.12.270 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.

**MEMORANDUM****STATE OF ALASKA**

**TO:** Robert Buttane  
Legislative & Administrative Liason  
Division of Juvenile Justice  
Department of Health and Social Services  
**DATE:** March 12, 2001  
**TELEPHONE:** 465-4460

**FROM:** Guy Bell   
Director  
Division of Retirement and Benefits  
Department of Administration  
**SUBJECT:** Health and Social Service  
Employee Reclassification  
to Peace Officer Coverage

You requested a breakdown of the cost associated with reclassifying certain employees within the Department of Health and Social Services from the 30 year retirement to the 20 year retirement plan between the Division of Family and Youth Services and the Division of Juvenile Justice.

In calculating the cost allocation, it became apparent that there is one job classification that is common to both divisions. Should the Department determine that employees in only one division would be reclassified, and if the employees in the Social Service Associate I, II and III positions are included in that reclassification, all Social Service Associates in both divisions will be reclassified.

An employer cannot reclassify individual positions. They must include everyone within a particular job classification. The full cost for the Social Service Associates appears under both divisions for this reason.

You also requested the figures to amortize the cost of the reclassification over a 25 year period. The cost would be \$1.2 million per year to amortize the \$13.2 million. We would not support annual appropriations to pay for this; instead the changes should be incorporated in the rate setting process.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

Cost of reclassifying employees from "Others" to Policy/Fire Allocation for each job class

DIVISION OF FAMILY AND YOUTH SERVICES

DIVISION OF JUVENILE JUSTICE

	Change In PV of Fully Projected Benefits	Cost as a Percentage of State ER 101 Pay
Social Service Associate I	\$ 33,000.00	0.00%
Social Service Associate II	\$ 64,000.00	0.00%
Social Service Associate III	\$ 521,000.00	0.01%
Social Worker I	\$ 316,000.00	0.01%
Social Worker II	\$ 324,000.00	0.01%
Social Worker III	\$ 2,948,000.00	0.06%
Social Worker IV	\$ 1,187,000.00	0.02%
Social Worker V	\$ 225,000.00	0.00%
Community Care Licensing Specialist I	\$ 268,000.00	0.01%
<b>Total:</b>	<b>\$ 5,886,000.00</b>	<b>0.12%</b>

	Change In PV of Fully Projected Benefits	Cost as a Percentage of State ER 101 Pay
Associate Coordinator (Estimate)	\$ 33,000.00	0.00%
Social Service Associate I	<del>\$ 33,000.00</del>	0.00%
Social Service Associate II	<del>\$ 64,000.00</del>	0.00%
Social Service Associate III	<del>\$ 521,000.00</del>	0.01%
Youth Facility Nurses II	\$ 89,000.00	0.00%
Youth Facility Nurses III	\$ 36,000.00	0.00%
Youth Counselor I	\$ 645,000.00	0.01%
Youth Counselor II	\$ 3,054,000.00	0.06%
Youth Counselor III	\$ 2,049,000.00	0.04%
Unit Leader	\$ 966,000.00	0.02%
Youth Facility Superintendent I	\$ 385,000.00	0.01%
Youth Facility Superintendent II	\$ 143,000.00	0.00%
<b>Total:</b>	<b>\$ 8,018,000.00</b>	<b>0.15%</b>

7,242,000  
÷ 12  
603,500

612  
\$ 7,406,000.00  
125  
7,281,000.00

## Estimated Costs for Sample Health and Social Services Employees to Convert to a 20 Year Retirement

Job Title	Service Years	Salaries	"A" Contributions Paid	Additional Contributions for "P"	Total Due
<i>Community Care Lic Spec I</i>	17.49	\$48,036.00	\$3,242.43	\$360.27	
		\$47,486.33	\$3,205.33	\$356.15	
		\$46,542.51	\$3,141.62	\$349.07	
		\$44,976.00	\$3,035.88	\$337.32	
		\$44,976.00	\$3,035.88	\$337.32	
		\$43,807.50	\$2,957.01	\$328.56	
		\$43,804.78	\$2,956.82	\$328.54	
		\$40,545.98	\$2,736.85	\$304.09	
		\$38,797.66	\$2,618.84	\$290.98	
		\$34,849.00	\$2,352.31	\$261.37	
		\$34,740.00	\$2,344.95	\$260.55	
		\$33,648.00	\$2,271.24	\$252.36	
		\$32,288.90	\$2,179.50	\$242.17	
		\$9,429.34	\$636.48	\$70.72	
		\$33,708.00	\$2,275.29	\$252.81	
\$32,501.20	\$2,193.83	\$243.76			
\$29,941.65	\$2,021.06	\$224.56			
\$14,401.00	\$972.07	\$108.01	<u>\$4,908.60</u>		
<i>Social Worker I</i>	2.293	\$26,175.41	\$1,766.84	\$196.32	
		\$15,021.77	\$1,013.97	\$112.66	<u>\$112.66</u>
<i>Social Worker II</i>	8.844	\$48,294.14	\$3,259.85	\$362.21	
		\$42,114.09	\$2,842.70	\$315.86	
		\$42,782.49	\$2,887.82	\$320.87	
		\$46,482.40	\$3,137.56	\$348.62	
		\$47,202.41	\$3,186.16	\$354.02	
		\$47,025.13	\$3,174.20	\$352.69	
		\$44,416.10	\$2,898.09	\$333.12	
		\$37,236.44	\$2,513.46	\$279.27	
		\$5,409.51	\$432.64	\$48.07	<u>\$2,714.72</u>
<i>Social Worker III</i>	6.159	\$48,654.50	\$3,284.18	\$364.91	
		\$47,080.46	\$3,176.58	\$352.95	
		\$45,690.47	\$3,084.11	\$342.68	
		\$46,010.28	\$3,105.69	\$345.08	
		\$5,301.18	\$357.83	\$39.76	
		\$6,082.29	\$410.55	\$45.62	
		\$9,167.13	\$618.78	\$68.75	
		\$2,875.09	\$194.07	\$21.56	<u>\$1,581.31</u>
<i>Social Worker IV</i>	3.17	\$36,853.04	\$2,487.58	\$276.40	
		\$17,533.27	\$1,183.50	\$131.50	
		\$21,841.17	\$1,474.28	\$163.81	
		\$9,766.01	\$659.21	\$73.25	
		\$2,655.85	\$179.27	\$19.92	<u>\$664.87</u>
<i>Social Worker V</i>	11.742	\$52,110.00	\$3,517.43	\$390.83	
		\$51,336.00	\$3,465.18	\$385.02	
		\$50,649.00	\$3,418.81	\$379.87	
		\$48,458.00	\$3,270.92	\$363.44	
		\$46,583.00	\$3,144.35	\$349.37	
		\$45,531.00	\$3,073.34	\$341.48	

		\$44,300.44	\$2,990.28	\$332.25	
		\$40,522.80	\$2,735.29	\$303.92	
		\$36,577.38	\$2,468.97	\$274.33	
		\$32,526.00	\$2,195.51	\$243.95	
		\$2,947.88	\$198.88	\$22.11	
		\$10,346.13	\$698.36	\$77.60	
		\$5,385.10	\$363.49	\$40.39	<u>\$3,504.55</u>
<b>Social Services Assoc III</b>	<b>10.449</b>	\$25,095.14	\$1,693.92	\$188.21	
		\$24,179.49	\$1,832.12	\$181.35	
		\$21,014.60	\$1,418.49	\$157.61	
		\$15,416.25	\$1,040.60	\$115.62	
		\$14,110.97	\$952.49	\$105.83	
		\$15,799.77	\$1,066.48	\$118.50	
		\$16,887.43	\$1,139.90	\$126.66	
		\$922.93	\$62.30	\$6.92	<u>\$1,000.70</u>
<b>Nurse II</b>	<b>7.972</b>	\$30,566.13	\$2,063.21	\$229.25	
		\$31,733.87	\$2,142.04	\$238.00	
		\$30,415.41	\$2,053.04	\$228.12	
		\$25,137.68	\$1,696.79	\$188.53	
		\$25,867.40	\$1,745.37	\$193.93	
		\$24,871.57	\$1,678.83	\$186.54	
		\$23,087.97	\$1,559.11	\$173.23	
		\$20,805.40	\$1,390.86	\$154.54	
		\$21,646.66	\$1,454.40	\$161.60	
		\$18,111.20	\$1,222.51	\$135.83	
		\$4,781.76	\$322.77	\$35.88	<u>\$1,925.44</u>
<b>Youth Center Supt I</b>	<b>22.972</b>	\$47,630.88	\$3,215.08	\$357.23	
		\$64,773.76	\$4,372.23	\$485.80	
		\$63,720.58	\$4,301.14	\$477.90	
		\$62,990.85	\$4,251.88	\$472.43	
		\$63,459.04	\$4,283.49	\$475.94	
		\$62,123.67	\$4,193.35	\$465.93	
		\$61,575.18	\$4,156.32	\$461.81	
		\$58,486.41	\$3,947.83	\$438.65	
		\$55,736.07	\$3,762.18	\$418.02	
		\$49,351.12	\$3,331.20	\$370.13	
		\$47,408.54	\$3,199.94	\$355.55	
		\$46,907.97	\$3,166.29	\$351.81	
		\$44,450.98	\$3,000.44	\$333.38	
		\$43,516.61	\$2,937.37	\$326.37	
		\$34,720.50	\$2,343.63	\$260.40	
		\$40,656.01	\$2,744.28	\$304.92	
		\$38,690.59	\$2,604.86	\$289.43	
		\$35,116.50	\$2,370.36	\$263.37	
		\$28,870.78	\$1,948.78	\$216.53	
		\$24,902.19	\$1,680.90	\$186.77	
		\$22,176.98	\$1,486.95	\$166.33	
		\$17,465.68	\$1,178.93	\$130.99	<u>\$7,609.72</u>

1-1302

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 more delinquents and it is a stressful job. I would like to achieve parity with the Correctional Officers.

Thanks Again,  
Eric Kuntz

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

January 12, 2002

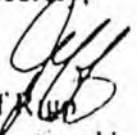
Dear Rep. Williams,

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 Kump  
Detention Unit Leader,  
Fairbanks Youth Facility

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

January 9, 2002

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

John Dehner  
1238 A Grenae 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~~ 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.

again for your support of the Youth Counselor  
Aerie employees in our youth facilities across  
the state.

I look forward to seeing the results of this  
bill and my continued involvement in changing  
the lives of our youth.

Sincerely,

Wendy Denise Mitchell

691 8th Ave

Fairbanks, AK 99701

denise@pillarofhope.org

(907) 452-0584

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

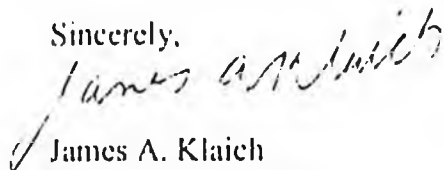
James Klaich  
PO Box 74205  
Fairbanks, AK 99701  
e-mail address: jklaich@gci.net

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

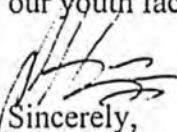
Rep. Bill Williams  
State Capitol Room 511  
Juneau, AK 99801-1182

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 typed name "Sam Green" in the address block.

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 here 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 Correctional 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

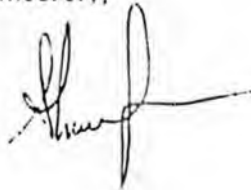
Dear Rep. Williams,

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". The signature is fluid and cursive, with a long horizontal stroke 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 Williams  
State Capitol Room 511  
Juneau, AK 99801

975 Willow Grove Rd  
Fairbanks, AK 99712

Dear Rep. Williams,

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 mostly support 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

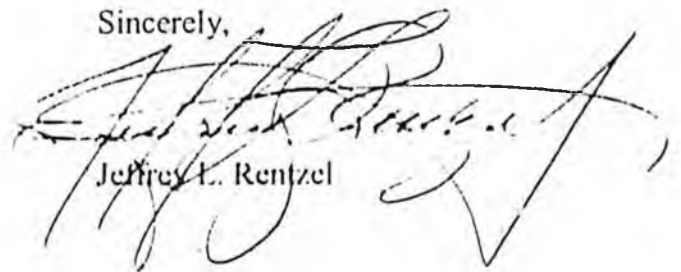
Jeffrey L. Rentzel  
P.O. Box 74614  
Fairbanks, Alaska 99707

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,



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

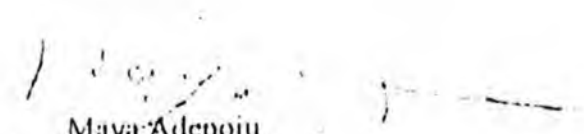
Maya Adepoju  
1120 22<sup>nd</sup> Ave.  
Fairbanks, AK 99701

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 black ink, appearing to read "Doug 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

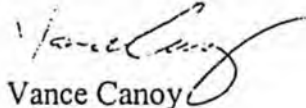
Vance Canoy/ Youth Counselor  
PO Box 56660  
North Pole, AK 99705

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)479-0628

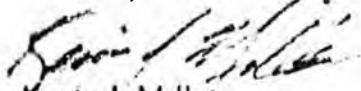
Dear Rep. Williams,

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

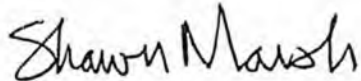
January 18, 2002

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 Statues 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,

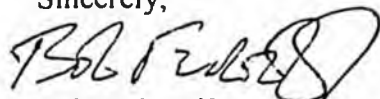
I would like to take this opportunity to thank you for sponsoring House Bill 248 that places Youth Counselor series employees of the Division of Juvenile Justice into the Peace Officers Retirement System.

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

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

1-21-02

Dear Rep. Coghill,

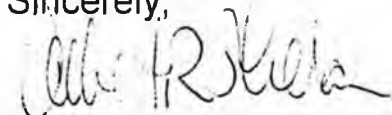
I am a member of the Alaska Juvenile Correctional Officers Association (AJCOA) and work as a Youth Counselor at the Mat Su Youth Facility in Palmer, Alaska. My association strongly supports the passage of HB 248, which includes Youth Counselor series employees in the Peace Officers Retirement System. 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 currently have a 20 year retirement provided for them.

It is my understanding that this particular piece of legislation currently resides in the House State Affairs Committee, which you chair. I also understand that there are other pieces of similar legislation in your committee, which deal with a 20 year retirement for other state employees. HB 248 represents an effort by Youth Counselors in AJCOA, which dates back to the early 1990's. Then Gov. Hickel vetoed SB 32 ( 20 year retirement for Youth Counselors), which had passed both the House and the Senate. The AJCOA has supported this effort for more than a decade and a 20 year retirement is overdue for Youth Counselors.

I urge you to pass this legislation out of the State Affairs Committee as a sign of support for Youth Counselors as we work toward parity with the rest of the employees in the Division of Juvenile Justice who enjoy a peace officers retirement benefit.

Thank you for your time.

Sincerely,

  
Albert R. Phelan

01/19/02

REP. JOHN COGHILL  
STATE CAPITOL ROOM #102  
JUNEAU, AK. 99801-1182

MARLON K. CONKLEN  
1519 MORRIS AVENUE  
NORTH POLE A.K. 99705

DEAR REP. COGHILL,

MY NAME IS MARLON K. CONKLEN AND I LIVE IN YOUR DISTRICT. I ALSO WORK FOR THE DIVISION OF JUVENILE JUSTICE (DJJ) AS A YOUTH COUNSELOR AT THE FAIRBANKS YOUTH FACILITY. I JOINED THE ALASKA JUVENILE CORRECTIONAL OFFICERS ASSOCIATION (AJCOA) RECENTLY TO SUPPORT THE PASSAGE OF THE YOUTH COUNSELOR 20-YEAR RETIREMENT LEGISLATION, HB 248.

SIR YOU REALLY NEED TO THINK ABOUT THE TYPE OF YOUTH'S WE HAD TO WORK WITH. A 20-YEAR RETIREMENT PACKAGE IS DESERVE HERE, MORE THAN ANY OTHER GROUP OF EMPLOYEES. YOU PROBABLY KNOW THAT MOST ALL OTHER EMPLOYEES IN DJJ ARE IN THE PEACE OFFICERS RETIREMENT SYSTEM ALREADY AND HAVE BEEN FOR SOME TIME.

I KNOW, AS THE CHAIR, YOU CAN MAKE HB 248 MOVE TO A HEARING IN THE STATE AFFAIRS COMMITTEE, HB 248 WILL HAVE SUPPORT IN BOTH THE HOUSE AND THE SENATE WHEN THEY SEE IT.

PLEASE MAKE HB 248 MOVE FOR THE YOUTH COUNSELORS AS A SIGN OF GROUP SUPPORT FOR EMPLOYEES WHO HAVE BEEN WORKING LONG & HARD TOWARD FAIRNESS & EQUITY.

SINCERELY,  
MARLON K. CONKLEN  
MC