

HOUSE FINANCE COMMITTEE
January 23, 2002
1:45 P.M.

TAPE HFC 02 - 11, Side A
TAPE HFC 02 - 11, Side B
TAPE HFC 02 - 12, Side A

CALL TO ORDER

Co-Chair Mulder called the House Finance Committee meeting to order at 1:45 P.M.

MEMBERS PRESENT

Representative Eldon Mulder, Co-Chair
Representative Bill Williams, Co-Chair
Representative Con Bunde, Vice-Chair
Representative Eric Croft
Representative John Davies
Representative Richard Foster
Representative John Harris
Representative Bill Hudson
Representative Ken Lancaster
Representative Carl Moses
Representative Jim Whitaker

ALSO PRESENT

House Speaker Brian Porter; Representative Joe Green; Stephanie Cole, Administrative Director, Alaska Court System; Chris Christensen, Deputy Administrative Director, Alaska Court System; Bruce Botelho, Attorney General, Department of Law; Kathryn Daughhettee, Director, Division of Administrative Services, Department of Law; Joseph Perkins, Commissioner, Department of Transportation and Public Facilities; Nancy Slagle, Director, Division of Administrative Services, Department of Transportation and Public Facilities; Barbara Ritchie, Deputy Attorney General, Civil Division, Department of Law; Dean Guaneli, Chief Assistant Attorney General, Department of Law; Larry Cohn, Executive Director, Alaska Judicial Council.

TESTIFIED VIA TELECONFERENCE

Marla Greenstein, Executive Director, Alaska Commission on Judicial Conduct, Anchorage.

GENERAL SUBJECT(S):

Missions and Measures Reports:
Alaska Court System
Department of Transportation & Public Facilities
Department of Law

The following overview was taken in log note format. Tapes and handouts will be on file with the House Finance Committee through the 22nd Legislative Session, contact 465-2156. After the 22nd Legislative Session they will be available through the Legislative Library at 465-3808.

LOG	SPEAKER	DISCUSSION
	TAPE HFC 02 - 11 SIDE A	
000	Co-Chair Mulder	Convened the House Finance Committee meeting at 1:45 P.M.
		ALASKA COURT SYSTEM
035	STEPHANIE J. COLE, ADMINISTRATIVE DIRECTOR, ALASKA COURT SYSTEM	Provided the Committee with a handout. [Copy on File]. She noted that the Alaska Court System is the main institution within the 3 rd branch of government along with the Alaska Judicial Council and the Alaska Commission on Judicial Conduct. They represent on 1.2% of the total state budget.
050	Ms. Cole	Stated that the mission of the Alaska Court System is to provide an accessible and impartial forum for the just resolution of all cases that come before it, and to decide such cases in accordance with the law, expeditiously and with integrity.
055	Ms. Cole	The Court System's primary business is dispute resolution; the last year 155,300 new cases were filed within the trial courts, which is a 1.2% increase from last year.
100	Ms. Cole	The caseload in Palmer continues to grow at an alarming rate, attributable to the high population growth rate in that area. That area is currently understaffed. Anchorage resources were redirected to Palmer and that has been a drain on the other locations that look to Anchorage for assistance.
108	Ms. Cole	Noted that the legislature did not adopt specific measures for the Court System. The Constitution provides that the judicial branch is self-administering.
119	Ms. Cole	The core function of a court system is to resolve disputes. The disputes are presented to the court system in the form of cases filed, and the court has no

		control over the type or quantity of the cases that are filed.
134	Ms. Cole	Timeliness of the court's handling of its business is an extremely important factor. Timeliness is often examined because it is a measure that lends itself to being quantified, where other aspects of dispute resolution are much more difficult to quantify and measure.
150	Ms. Cole	Stated that the judicial conference, which all judges are, required to attend, methods successful judges use to monitor and expedite cases in the face of common obstacles.
160	Ms. Cole	Noted that the courts do not currently have the ability to collect the information about cases to compare with the time standards. She advised that they operate with an antiquated computer system that collects only minimal information about the caseload. This is only a temporary situation. The Legislature appropriated funds in the last two fiscal years to allow the Court System to purchase a modern, management system.
185	Ms. Cole	The current projections are that the new system should be functional statewide in approximately two years. It will produce statistical data that can provide meaningful information to use in the management effort. She noted the changes that had been adopted in SB 172 requiring the Court System to make available several categories of information, including the "average, mean, minimum and maximum time periods between initial receipt and final disposition of cases classified by courts and each justice, judge and magistrate"
210	Ms. Cole	Advised that the new system should be able to provide the requested information.
215	Ms. Cole	Efforts to set standards and collect data about timeliness have extended to the appellate courts also. That court operates on a different and more comprehensive case management system than the trial courts. The supreme court last year adopted appellate time standards governing the time after submission of civil appeals to the court, which is the period of time for which the court is

		directly responsible. Statistics compiled on cases indicate that the court is close to meeting its new time standards in all civil cases and is beating those standards in expedited appeals.
228	Ms. Cole	The most concrete time measurement currently exists in criminal cases. A defendant with a felony, a misdemeanor or a violation has the right to be brought to trial within 120 days. 73% of the total caseload had to be managed in a way that ensured that a judge and a courtroom would be available for trial within 120 days, if the defendant wished. The penalty for failure to comply with the speedy trial rule is dismissal of the case.
250	Ms. Cole	Pointed out that only 2 felonies and 2 misdemeanors were dismissed because of speedy trial violations. Given the numbers involved, those four cases represent a small fraction of a percent of the total cases handled by the court during the year. She mentioned a timeliness measure that relates to judicial officers. Every justice, judge and magistrate must submit an affidavit to the Department of Administration each pay period, swearing that no matter referred to the judicial officer for opinion or decision has been uncompleted or undecided for more than six months. If the officer cannot complete the affidavit, his or her paycheck is withheld until such time as the matter under advisement is resolved.
262	Ms. Cole	Touched budget increments requested. She referenced Page 11 - total increment of \$7.533, a request for second year funding for HB 172 for the therapeutic courts projects in Anchorage and Bethel. Additionally, a request for \$680 thousand dollars to compensate for the increase in the Judicial Retirement System rate assessed against the court system. The funding request would be used to meet the non-negotiable cost, which is outside the Court's control.
285	Ms. Cole	Spoke to Court Security measures. The budget includes funds to make the Courts secure. The responsibility for providing courthouse security falls to the

		Department of Public Safety. However, that Department has not been funded at a level that allows it to provide the courthouse security service it knows is warranted. She reiterated that the State is not providing adequate security for judges and jurors.
302	Ms. Cole	Stressed any reasonable person could feel a threat with the current level of security.
308	Vice-Chair Bunde	Asked about the channeling back of fines and if the Court withdrew an administrative fee.
317	Ms. Cole	Responded that there are a number of fees associated with the collections, however, there are not service fees to the participants.
321	CHRIS CHRISTENSEN, STAFF COUNSEL, ALASKA COURT SYSTEM	Added that there used to be a law on the books, which required the court system to collect money from the municipalities when the municipalities utilized court services, however, the Legislature repealed that law in the early 1980's. It became difficult to collect that money during those days. Any change would need to be done through statute and drafted clearly.
335	Vice-Chair Bunde	Surmised that court costs could be collected in civil action cases but not in criminal action cases.
336	Mr. Chris	Replied that costs are not assessed for the use of a judge, jury or courtroom for either civil or criminal cases.
338	Co-Chair Mulder	Asked how much was collected and given back to the municipalities.
342	Mr. Chris	Replied that the accounting department was small and not real efficient.
345	Co-Chair Mulder	He thought it was fairly efficient.
350	Representative Hudson	Referenced the \$1.5 million salary request. He asked if the court system has had to follow the same increments that the Administrative side of government has followed over the past 3 years.
355	Ms. Cole	Replied that the court system is not unionized and that they are non-covered State of Alaska employees. They do not enter into the negotiations. The 3% is based on cost-of-living increase.
361	Ms. Cole	She stressed that the court system have gone a long time without a pay raise. It is becoming increasingly difficult to

		hire and retain Court employees at this time. It used to be a good job, but currently it is very difficult to hire and retain.
375	Representative Lancaster	Asked the comparison or benchmark used.
376	Ms. Cole	Replied that the 3% was the negotiation used for the Department of Administration and this is the first year that the Alaska Court System is preparing a separate request.
386	LARRY COHN, EXECUTIVE DIRECTOR, ALASKA JUDICIAL COUNCIL	Disbursed a handout to Committee members. [Copy on File]. He noted that he was the new director of the council.
399	Mr. Cohn	He stated that the Alaska Judicial Council has constitutional and statutory duties in three general areas. The council screens applicants for judicial vacancies and nominates the most qualified applicants to the governor for appointment. The council is required by law to evaluate the performance of judges who are to appear on the ballot and must make performance information and recommendations available to the public. The council conducts studies and makes recommendation to improve the administration of justice in Alaska.
415	Mr. Cohn	The council is submitting a continuation budget at the same level of the FY02 budget. Two increments have been requested. Also, the Council is submitting a continuation of the \$30 thousand dollar pass through grant to the Courtwatch program sponsored by Victims for Justice.
433	Mr. Cohn	Listed the tasks within the continuation budget and what the Council accomplished in the past year and the anticipated completion in the coming years. He highlighted the judicial selection.
447	Mr. Cohn	The second item is the judicial retention/evaluation. The State Constitution requires each judge periodically to stand for retention at a general election. The length of the term varies with the judicial position.
458	Mr. Cohn	The Council sends detailed surveys to all officers in the State. The Council also surveys jurors who sat on cases before the judges in the preceding two years. The council will review all

		questionnaires submitted. As part of the retention process, the Council will analyze appellate affirmance and reversal rates, compile records on peremptory challenges filed against the judge, and encourage public hearings.
464	Mr. Cohn	The Supreme Court has asked the Judicial Council to evaluate the performance of standing masters and magistrates in Alaska. The evaluation will be shared with the magistrates and masters and with their supervisors to encourage improvement in performance.
469	Mr. Cohn	The Judicial Council is obligated by Court rule to evaluate retired judges who wish to serve pro tem. The council conducts its evaluation by using a somewhat briefer survey than that designed for sitting judges.
472	Mr. Cohn	The third area of responsibility is to provide research to improve the quality of justice statewide. Mr. Cohn mentioned the criminal justice process study just completed.
480	Mr. Cohn	Spoke to the criminal justice Council. The Council has provided cost-effectiveness data for the legislature, worked with agencies to reduce prison over-crowding, and coordinated policy with its various members. They will continue the work in the ensuing fiscal year and will report periodically on progress made toward implementing the recommendations.
490	Mr. Cohn	Civil case data. In 1997, the legislature passed tort reform legislation that included a requirement that attorneys provide information concerning the resolution of many types of civil cases to the Council. The requirement was intended to provide information necessary to an informed public discussion of tort reform.
500	Mr. Cohn	Evaluating the therapeutic justice projects underway. Felony drug court program in Anchorage. Wellness court in Anchorage and the court coordinated research project.
505	Mr. Cohn	Mentioned evaluation of the therapeutic justice projects. The projects are intended to reduce recidivism and reduce the cost of incarceration. In the past, the Council has designed databases,

		established research agreements, and coordinated the collection of data with which to analyze the various therapeutic projects.
515	Mr. Cohn	Criminal justice Computer System Coordinator. The Council's work with criminal justice agencies to develop a plan to coordinate and integrate Alaska's criminal justice computer system.
522	Mr. Cohn	Stated that the Council was involved in a number of committees to increase public outreach with the court system and improve judicial education. Victim's handbook Guide to criminal justice system Internet Bar survey Increment Pro Se study He pointed out that 60-80% of the cases involve one or more pro se litigants. The study would quantify the percentages and types of civil cases in Alaska that involve self-represented litigants. AJC report to legislature and supreme court. Committee work to increase public outreach.
534	Representative Davies	Asked the definition of recidivism that would be used by the Council.
538	Mr. Cohn	Stated that the defendants would be measured against all conduct that they have with the criminal justice system. There will be a number of comparisons depending on what is being addressed with respect to the therapeutic justice project. The defendants will be evaluated after they go through the project, the number of times that they have contact with the criminal justice system after they go through the process compared to what they did before. Additionally, they will be compared to those that did not participate in the project.
551	Representative Davies	Pointed out that Commissioner Pugh had referenced a three-year measure. He thought that was a short period of time to arrive at balance for data.
554	Mr. Cohn	Agreed that it was a short period of time because you have to wait for the person to complete the therapeutic program, which is a minimum of one year. There needs to be at least a year to study their recidivism after they complete the

		project. He claimed that it is difficult to project the expense. It is intended to be followed up if there is sufficient funding to do that.
563	Co-Chair Mulder	Understood that the purpose of the study was because of the performance standards, which had been added to the bill to provide a comparison of the general effectiveness. He stated that the consideration of further funding should not be determined by word of mouth determinations.
571	Representative Hudson	Referenced the 3% salary increase. He asked if that had been negotiated with the Council.
578	Mr. Cohn	Offered to provide that information, as he did not know. He reminded members that he was new to the position. He mentioned that the staff employee who works 80% of the time and has worked for 37 years for the State. That employee is the most competent on the staff and is an oracle of information.
590	MARLA GREENSTEIN, EXECUTIVE DIRECTOR, ALASKA COMMISSION ON JUDICIAL CONDUCT	Provided a handout to Committee members. [Copy on File]. She noted that the Judicial Conduct Commissioner responsibility was to handle ethic complaints against judicial officers. She addressed the role of the Commission, which is the smallest agency in the smallest branch with the smallest budget. She noted that they consist of a two person staff. All internal time measurement standards have been met.
597	Ms. Greenstein	Addressed the Pre-charging process. She noted that the Commissioner is conservative fiscally. The actual expenditures are in excess of the authorized expenditures and required supplemental funding. This year there will be small supplemental request. The requests are attributable to attorney fees. Attorneys are hired on contract on an on-need basis. The increments are always small.
		TAPE HFC 02 - 11, Side B
008	Ms. Greenstein	She noted that the budget would reflect a salary adjustment. She understood that the request was a response to the increased pay request. Ms. Greenstein offered to answer questions of the Committee.

590		DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
588	JOSEPH PERKINS, COMMISSIONER, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	Provided a handout to Committee members. [Copy on File].
576	Commissioner Perkins	Addressed the responsibilities of the Department, which is to develop, operate, maintain and manage facilities, vehicles and transportation mode within the State.
567	Commissioner Perkins	Outlined the Department's major accomplishments: Awarded the construction contract for "C" concourse at the Ted Stevens Anchorage International Airport within budget. Awarded the contract for the design and construction of the first 2 fast vehicle ferries to implement the Southeast Alaska Transportation Plan. And with assistance from the Department of Law, Department of Transportation & Public Facilities reached settlement on the \$46 million dollar Kennicott claim that cost about \$500 thousand dollars. Alaska was the 1st State to get the airports back on line after 9-11.
555	Commissioner Perkins	Mentioned that the State scored high against other DOT's in other States for performance. Alaska has stacked up well, however, we need to continue to concentrate on the mediocre roads and move a larger percentage of them into "good" category. He maintained that the State could do that by repaving those roads.
542	Commissioner Perkins	Mentioned the many national awards that have been bestowed upon DOT employees and the projects.
535	Commissioner Perkins	Tom Moses and the Whittier Tunnel received an additional award last year. The prestigious American Society of Civil Engineers 2001 outstanding civil engineering achievement award. Also, team awards (AASHTO Team) were given to the Department in Alaska has excelled.
510	Commissioner Perkins	Highlighted the performance measures listed in HB 250.
514	Commissioner Perkins	1. The percentage of divisions that reach assigned performance measures.
510	Commissioner Perkins	2. The percentage of State national highway system land miles of road that meet standards of the American

		Association of State Highway and Transportation officials.
500	Commissioner Perkins	3. The percentage of requested engineering firm audits and desk reviews completed in the previous fiscal year.
495	Commissioner Perkins	4. The percentage of required compliance reviews for responsiveness to disadvantaged business enterprise and one the job training contract requirements completed.
492	Commissioner Perkins	5. the average time taken to respond to complaints and questions that have been elevated to the commissioner's office.
486	Commissioner Perkins	6. Whether the average time for payment to vendors is 29 days or less.
481	Commissioner Perkins	7. How long it takes the division to process a purchase request before the order is placed.
476	Commissioner Perkins	8. The percentage of protest and claims appealed to the commissioner that courts overturned during the fiscal year.
466	Commissioner Perkins	9. The percentage reduction in payroll calculation errors.
460	Commissioner Perkins	10. The number and dollar value of planned projects that are constructed as a percentage of the value of projects on the needs list and the number proposed.
455	Commissioner Perkins	11. The percentage of required federal planning, programming, and data collection completed and accepted by the US Department of Transportation on a federal fiscal year basis.
449	Commissioner Perkins	12. The number of motor vehicle crashes during the fiscal year at which serious injury or fatality occurred.
440	Commissioner Perkins	13. The percentage of federal highway funds obligated in the previous federal fiscal year.
430	Commissioner Perkins	14. The percentage of projects in the capital budget that have been bid in the year programmed.
425	Commissioner Perkins	15. The percentage of total project costs spent on project development.
420	Commissioner Perkins	16. The percentage difference between final project estimates and construction bids.
418	Commissioner Perkins	17. Whether the Department is successful in requiring private contractors performing design and engineering services for the State to report on the same measures.
413	Commissioner Perkins	18. The percentage of the design and

		engineering work on the division that was performed by private contractors.
410	Commissioner Perkins	19. The percentage of the total construction costs that were spent on contract administration.
400	Commissioner Perkins	20. The percentage of the total construction costs that were spent on change orders.
395	Commissioner Perkins	21. Whether the net value of facilities deferred maintenance increases or decreases annually.
390	Commissioner Perkins	22. The percentage of facility mechanical systems that pass safety inspection each year.
385	Commissioner Perkins	23. The percentage of rural airport leases that are renewed or newly leased at fair market value during the fiscal year.
380	Commissioner Perkins	24. The transfer of state-owned ports and harbors to local control.
374	Commissioner Perkins	25. Whether 80 percent of the fleet wet rentals are returned to the Division as scheduled for preventive maintenance on/or before June 30 of the fiscal year.
361	Commissioner Perkins	26. The average down time for light duty, actively used equipment urban areas.
355	Commissioner Perkins	27. The number of locations of the State equipment fleet whose rates are equal to or less than the rental rates published in industry guidebooks.
345	Commissioner Perkins	28. Commercial vehicle safety inspection per full time equivalent employee of the Division.
335	Commissioner Perkins	29. Weighing and measuring device inspections conducted per full-time equivalent employee of the Division.
330	Commissioner Perkins	30. The number of miles of gravel roads that are surfaced with chip seal, hot mix, or high float asphalt for the first time, reported regionally.
309	Commissioner Perkins	31. The percent of highway and airport lane miles per full-time-equivalent employee compared to the average of member states of the western associations of state highway and transportation.
299	Commissioner Perkins	32. The number of miles of road maintenance for which responsibility is transferred to local governments.
277	Commissioner Perkins	33. Whether the Department fully implements the maintenance management system statewide by June 30, 2003.
266	Commissioner Perkins	34. Whether the Department maintains the

		pavement condition index (PCI) at 70 for runways and 60 for taxiways and aprons at every applicable rural airport 99 percent of the time.
246	Commissioner Perkins	35. Whether the Department completes the environmental impact statement phase on the Ketchikan Airport access by December 31, 2001.
235	Commissioner Perkins	36. The percentage of private maintenance contracts at non-certified airports compared to the total number of non-certified airports.
225	Commissioner Perkins	37. Whether the Department maintains the 100 percent pass level of annual federal airport certification inspections for response and safety standards set out in federal aviation regulations.
216	Commissioner Perkins	38. The annual increase or decrease, expressed as a percentage, in cargo landings at the international airports measured on a 3-year rolling average.
208	Commissioner Perkins	39. Whether the Department completes the gateway Alaska terminal redevelopment projects by September 1, 2004.
184	Commissioner Perkins	40. The percentage of airports that have a federal aviation administration approved airport layout plan
179	Commissioner Perkins	41. The percentage of times that the marine highway vessels depart on time.
174	Commissioner Perkins	42. The revenue per rider mile divided by the operational costs per rider mile.
163	Commissioner Perkins	43. The total rider-ship, including passengers and vehicles, compared to the five-year rider-ship average.
151	Commissioner Perkins	44. The average onboard revenue per passenger including cabin occupancy food, beverage and other sources of revenue.
139	Commissioner Perkins	45. The percentage of persons served by the Alaska Marine Highway System, who are satisfied customers.
131	Commissioner Perkins	Made wrap up comments regarding the missions and measures. He noted that there would be \$200 billion federal dollars available for all states work projects. He reiterated his appreciation of the work done by the employees of his Department. He voiced his appreciation of the vote in support of the Garvee bonds last year, which was a priority of the Department.
094	Commissioner Perkins	He provided the Committee with a "Missions and Measures Report Card" and

		asked that the legislature provide a grade. He noted that the Department has graded themselves with a B+ on that report.
73	Vice-Chair Bunde	Asked what could be done to encourage municipalities to take over state road maintenance.
062	Commissioner Perkins	Responded that municipalities fear the expense of maintaining lane miles. He stated that an increase in revenue sharing for highways would help to encourage such a transfer. He noted that the State is not reimbursing municipalities for the full (or even close) to the maintenance costs.
33	Representative Hudson	Observed that there have been indications that federal funds would be reduced in response to what happened on 9/11/01. He asked if the State match could be increased.
021	Commissioner Perkins	Pointed out that the level of federal funds is dependent on the level of the Trust Fund. T21 indicates that 90 percent must be appropriated. He did not think that this would change. The amount available (\$200 billion to the states in the next year) will depend on how much gas people buy. He did not see that declining in the future. The authorization bill must be watched. The State of Alaska receives approximately 1 percent of that money. Alaska should be able to hold the 1 percent. The amount increases with the use of gas. It's too popular to decrease. He believed that there would be a gradual increase in the amount received.
		TAPE HFC 02 - 12, Side A
052	Representative Hudson	Asked the cost of completing the EIS on the Lynne Canal route.
67	Commissioner Perkins	Replied it would cost about \$1 million dollars.
72	Representative Davies	Asked about information on the ferry settlement.
	Commissioner Perkins	The claim amounted to \$48 million dollars. It was turned in as a cost plus contract. They claimed that the change in work orders resulted in an increased cost. The State was found to owe approximately \$500 thousand dollars out of the \$48 million dollar claim. It was a weak claim.
97	Representative	Asked how much of the costs for increased

	Davies	security were covered by the federal government.
105	Commissioner Perkins	Did not think that all the costs would be covered. He thought that the State could recover a good portion. He would like to recover costs for security measures at airports from FAA. Commissioner Perkins voiced concern with costs for police. He thought that the State could receive 80/20. The new security is still in FAA, but will be transferred to a new entity. The new organization charged with dispensing funds will not be existence for several months.
142	Representative Lancaster	Questioned how long deferred maintenance could be deferred.
155	Commissioner Perkins	He did not think there would be other buildings collapsing. People have been pulled out of at least 4 buildings. He discussed a building in Nome, which was built in 1943.
172	Representative Croft	Referenced the Whittier tunnel project and asked what made it so remarkable.
180	Commissioner Perkins	Noted that it is the only tunnel in the US that is a one lane and services cars and trains. It is the longest train and car tunnel in the US. There are 8 safe rooms. It has current technology with jet fans at each end. The floor in the tunnel is heated to prevent ice build up.
		DEPARTMENT OF LAW
210	BRUCE BOTELHO, COMMISSIONER, DEPARTMENT OF LAW	Reviewed the Department's mission. He discussed the handout. [Copy on File]. The mission of the Department is to provide legal services to State government and to prosecute crime.
235	Commissioner Botelho	Pointed out that it is difficult to find measures for lawyer output. Most measures compare the workload. The Department of Law cannot not control their workload. There has been a slight increase in the domestic violence assault cases.
245	Commissioner Botelho	The number of felony drug prosecutions has decreased slightly. He reviewed the prosecutions for other offenses.
261	Commissioner Botelho	Spoke to the number of new criminal cases reviewed for prosecutions.
270	Representative Croft	Commented that the measures do not seem to provide the needed information.
282	Commissioner Botelho	Noted that conviction rates are sometimes reviewed along with the number of plea bargains. There are many variables. He

		spoke to the use of billable hours and the quality of work on an individual lawyer basis.
302	Representative Croft	Asked about the plea bargain measure in domestic violence and sexual assault cases.
308	Commissioner Botelho	However, the State does not want to see settlements take place because we are afraid that pushing the case might loose. He stressed that we must rely upon the integrity of the system.
325	Representative Croft	Reiterated that the measures do not tell the Legislature much.
330	Co-Chair Mulder	Asked how to address the mission of prosecuting crime and looking at the goal.
337	Commissioner Botelho	Civil Division - efforts to collect oil and gas taxes and royalties that are due. He added that the State is slightly ahead of 2001 in collecting those disputed taxes. The number continues to fluctuate during the years.
359	Commissioner Botelho	Mentioned the collection of civil and criminal judgments. The Department has made great progress internally. This year, the Department has collected about \$3.1 million dollars. The Department continues to pursue judgments for the State. He commented on the garnishment of the permanent fund dividends.
374	Commissioner Botelho	The civil division does work for the agencies by type-case; he referenced Page 7 of the handout. He noted that the general litigation has declined over the last several years. He mentioned the peaking child support proceedings within the Child Support Enforcement Division.
392	Co-Chair Mulder	Observed that "oral advice" has dropped off significantly over the past ten years.
398	Commissioner Botelho	The change has happened with the manner in which the file is opened. Now, a new file is not opened each time for an agency, but rather the file just remains open.
409	Commissioner Botelho	He added that the area of child abuse and neglect funding over the past years has increased so that there would be adequate protection. He highlighted the number of new cases opened relating to protecting children in the State against abuse and neglect. He pointed out that there are 30% more cases in Anchorage that there

		were six years ago.
420	REPRESENTATIVE JOE GREEN	Asked if that was a trend in per capita.
424	Commissioner Botelho	Explained that there is a combination of factors. He thought it could be the lack of intervention, caseload management and staffing and an increase in per capita.
435	Commissioner Botelho	Added that the Department continues to work on the placement and permanency backlog measures. He referenced the 86% of the total Balloon project placement of children. He emphasized that was a high priority.
448	Co-Chair Mulder	Asked if the State was finished with the Balloon project.
451	Commissioner Botelho	He commented that the State is basically finished with it, however, they were continuing to move those cases through the Department. There are about 1600 cases in play. He agreed that the Department is coming to a conclusion of the project.
460	Representative Davies	Understood that the Department of Health and Social Services thought that the project is working and that they expected to see it continued.
467	Co-Chair Mulder	Replied that it was a one-time funding. He stressed that if the backlog has been resolved, then is there a new backlog.
471	Commissioner Botelho	Stressed that there will always be a continuing need to make placements.
480	Co-Chair Mulder	Expressed his concern that the project has cycled back into a bigger budget request.
483	Commissioner Botelho	Noted that he did not need to point out anything in the Division of Administrative Services. He offered to answer questions of the Committee.
488	Co-Chair Mulder	Requested that the subcommittee overview all these requests and the accomplishments of the Department.
496	Co-Chair Mulder	<u>ADJOURNMENT:</u> The meeting was adjourned at 3:53 P.M.