

**MINUTES**  
**SENATE FINANCE COMMITTEE**  
**April 30, 2002**  
**4:43 PM**

**TAPES**

SFC-02 # 82, Side A  
SFC 02 # 82, Side B

**CALL TO ORDER**

Co-Chair Pete Kelly convened the meeting at approximately 4:43 PM.

**PRESENT**

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

**Also Attending:** REPRESENTATIVE JOHN COGHILL; REPRESENTATIVE DREW SCALZI; SENATOR GENE THERRIAULT; MARY MCDOWELL, Commissioner, Division of Commercial Fisheries Entry Commission, Department of Fish and Game; DENNY DEWITT, Staff to Representative Eldon Mulder; PHIL CUTLER, staff to Co-Chair Donley

**Attending via Teleconference:** From Cordova: SUE ASPELUND, Executive Director, Cordova District Fishermen United; Offnet: DON JOHNSON

**SUMMARY INFORMATION**

HB 160-REPORTING OF ABORTIONS

The Committee heard testimony from the sponsor, adopted a fiscal note for the Department of Health and Social Services, and reported the bill from Committee.

HB 504-WAGES FOR WORKERS IN FISHERIES

The bill was reported from Committee.

HB 288-LIMITED ENTRY BUY-BACK PROGRAM/ASSESSMENT

The Committee heard testimony from the sponsor, the Department of Fish and Game, and took public testimony. The bill was reported from Committee.

HB 515-OPERATING BUDGET MISSIONS AND MEASURES

The Committee heard from the sponsor, considered and adopted three amendments, and reported the bill from Committee.

#HB160

CS FOR HOUSE BILL NO. 160(JUD)

"An Act requiring the reporting of induced terminations of pregnancies."

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

REPRESENTATIVE JOHN COGHILL, sponsor of the bill, informed the Committee this legislation would require physicians to report a termination of a pregnancy to the State's Bureau of Vital Statistics within 30 days and require the Bureau to publish an annual report of the findings. He stated this data is valuable for numerous reasons including: policy decisions based on abortion data, related health policy decisions, and teen pregnancy issues.

Representative Coghill explained that Section 1 of the legislation establishes the procedures for the reporting. He conveyed that these procedures are fashioned after similar legislation in place in many other states.

Representative Coghill stated subsection (d) of Section 1 defines the information that would be included in the annual statistic report produced by the Bureau of Vital Statistics. He noted that the names of the physician, the facility where the abortion occurred, and the name of the community the woman resided in would not be included in the report. He specified that the aggregate statistical information would be reported according to federally defined standards regarding induced termination of pregnancies.

Representative Coghill informed the Committee that Sections 3 and 4 of this legislation authorize the Bureau of Vital Statistics to

report specified information regarding induced termination of pregnancies.

Representative Coghill commented that Section 8 of the bill contains a new paragraph addressing the difference in reporting of a stillborn or miscarriage pregnancy and an induced abortion.

Representative Coghill conveyed that the State's House of Representatives supports this legislation.

Co-Chair Kelly asked, "how broad is this information": specifically whether it would contain demographic information.

Representative Coghill responded there is a model reporting form included in the members' packets [copy on file] that reflects the types of information the report would include such as: "the education level, the race, the gestational period." He stated the report would supply a limited, but not regional, demographic profile.

Co-Chair Donley asked the vote tally of the House of Representatives in passing this bill.

Representative Coghill replied it passed unanimously.

Senator Lemman asked if information specifying the reason for the abortion would be available as that type of medical information "could be helpful to future lawmakers" in "establishing social policy in this State."

Representative Coghill stated that "just the type of pregnancy, the gestational period that it's in, and those types of things" would be identified according to public policy. He continued that he is not sure if asking "the motive" behind a termination of a pregnancy would be allowed or would need to be worded in such a manner that the resulting information would be too broad as to not be useful.

Senator Lemman responded this information exists on a nationwide level, and suggested this legislation could require this information specifically for Alaska.

Representative Coghill stated that Alaska is included in the averages of the national reports, and stated this legislation would provide similar information for the State.

Co-Chair Donley asked if the sponsor supports the Department of Health and Social Services \$90,000 fiscal note accompanying this bill as, he opined, it is one of the largest fiscal notes to come

before the Committee this year.

Representative Coghill replied "it could be zeroed out" as the Center for Disease Control (CDC) "does have funding available for information gathering in these circumstances." He furthered that the Department indicates it would need to hire an additional "quarter person per quarter" to fulfill the additional duties this legislation would incur; however, he opined, other funding could be sought.

Co-Chair Donley offered a motion to replace the Department of Health and Social Services' \$89,400 fiscal note with a Finance Committee zero fiscal note.

Senator Leman noted the Department has demonstrated the ability to secure funding for projects that the Legislature has not supported; therefore, he agrees the Department "would have the ability to absorb" the expenses this legislation might incur.

Senator Hoffman objected and stated that contrary to the Department's FY 02 budget, the FY 03 budget might not allow for this absorption.

A roll call was taken on the motion.

IN FAVOR: Senator Austerman, Senator Leman, Senator Olson, Co-Chair Donley, Co-Chair Kelly

OPPOSED: Senator Hoffman

ABSENT: Senator Wilken, Senator Green, Senator Ward

The motion PASSED (5-1-3)

The motion to allow a zero fiscal note to accompany the bill was ADOPTED.

Senator Leman "moved to report HB #160 from Committee with individual recommendations and the accompanying adjusted fiscal note."

There being no objections, CS HB #160(JUD) was REPORTED from Committee with a zero fiscal note, dated 5/01/02 from the Department of Health and Social Services.

#HB504

CS FOR HOUSE BILL NO. 504(FIN) am  
"An Act relating to the wages of people working in the  
fisheries business."

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

Senator Austerman offered a motion to report the bill from  
Committee.

Co-Chair Donley objected, stating this legislation should be held  
until separate minimum wage legislation currently under discussion  
in the Legislature is determined.

A roll call was taken on the motion.

IN FAVOR: Senator Olson, Senator Austerman, Senator Hoffman,  
Senator Leman, Co-Chair Kelly

OPPOSED: Co-Chair Donley

ABSENT: Senator Ward, Senator Wilken, Senator Green

The motion PASSED (5-1-3)

CS HB #504(FIN)am was REPORTED from Committee with a previous zero  
fiscal note, dated 4/16/02 from the Department of Labor and  
Workforce Development.

AT EASE 5:01 PM / 5:02 PM

#HB288

CS FOR HOUSE BILL NO. 288(FIN) am  
"An Act relating to commercial fishing limited entry permit  
buy-back programs, to a permit buy-back assessment, and to  
voluntary relinquishment of commercial fishing permits; and  
defining 'optimum number.'"

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

REPRESENTATIVE DREW SCALZI informed the Committee this legislation  
addresses repurchasing commercial fishing permits. He stated that  
current State statutes allow this buy-back provision; however, it

has been problematic and never implemented because "an optimum number study has to be conducted in order to establish what the economic level is that would support the fishery, but yet not go below a certain level to not make it too exclusive." He continued that once the optimum number study is completed, current statute "mandates that there be a buy-back." He stated that similar optimum number studies have been considered by different fisheries throughout the State, but not implemented because of concerns regarding the requirement to purchase the permits, coupled with the inability to predict when the permits would become available. He furthered that the current statute specifies that, in addition to purchasing the commercial fishing permit, the fishing industry is also required to purchase the vessels and gear.

Representative Scalzi informed the Committee that this bill would allow for the purchase of the permit without the obligation to purchase the vessel and the gear. He stressed that the bill would additionally allow the buy-back to be studied "voluntarily" without mandating a buy-back.

Co-Chair Kelly asked what funding source would be available for the buy-back program.

Representative Scalzi responded that the State's Commercial Fisheries Entry Commission envisioned creating a loan program to be funded by a tax of up to seven percent assessed on the fishing industry. He stated the tax would be collected by the Department of Revenue.

MARY MCDOWELL, Commissioner, Commercial Fisheries Entry Commission, Department of Fish and Game, stated the funding mechanism currently in place for the buy-back program law is unconstitutional because it mandates a dedicated fund to be funded by an assessment on fishermen. She qualified that another problem with the current law is that the Entry Commission would be responsible for collecting the money assessed on the fishing industry for the dedicated buy-back fund; however, the Commission does not have taxing authority.

Ms. McDowell elaborated that this proposed legislation would allow the fund to operate similar to the operation of the Aquaculture Assessment by Alaska Seafood Marketing Institute (ASMI). She continued that the new process would entail the Entry Commission undertaking an optimum number of permits study to determine whether a buy-back program should be undertaken. Ms. McDowell continued that if an optimum number study determined there were too many permits in a fishery, a buy-back program would be established, and the Commission would work with the industry to develop an action plan to establish a tax levy for the fishermen. She stated this tax

would be assessed on the "fish tickets," a common practice for levying taxes in the fishing industry by the Department of Revenue. She stated the Commission would request the Legislature to appropriate funds to the buy-back program; thereby, enabling the fund to be a constitutionally approved funding mechanism.

Ms. McDowell continued that language currently under discussion in HB 286 would create a mechanism whereby the industry could establish its own program to buy-back permits, would allow the Entry Commission the leeway to discuss options for the buy-back funding source mechanism, and would allow for the establishment of the assessment level. She remarked this process would essentially tax the remaining fishermen who would be "making a better living" because with fewer fishermen in the fishery, the remaining fleet would, "hopefully, earn more revenue."

Senator Hoffman voiced concern that if a buy-back price for permits is not determined, a reduction of the number of permits in a fishery could result in the remaining permits becoming too expensive.

Representative Scalzi replied this could occur; however, if a buy-back plan were established, the individual fishermen could decide if they wished to sell or purchase at the established price.

Senator Green asked for clarification whether individual fishermen or a fishing industry group could participate in the buy-back plan.

Ms. McDowell explained that the State would establish a buy-back plan and notify the industry that a pool of money would be available to purchase permits. She noted that permit holders would decide whether to sell their permits at the price established in the plan, and that the number of permits bought back would be determined by the amount of money in the pool.

Representative Scalzi stated the optimum number study is "the key" to the program. He hypothesized that if 100 permits existed and the study determined "30 to be the optimum number that could be bought-back without making it an exclusive fishery," the industry could decide to only buy-back and be assessed for 20 permits. He stated "it is up to the fishermen remaining in the industry to control their own destiny on how much they would want to pay." He reminded the Committee that the current law gives the fishermen no choice, little flexibility, and is not conducive for development of a plan.

Co-Chair Donley, referring to an Alaska Supreme Court case regarding a limited entry program constitutional amendment, voiced his understanding that there is a requirement for a buy-back

program whenever a fishery is endangered, and that the funding for the buy-back program would be the responsibility of the people in the industry. He asked if this legislation is consistent with that ruling.

Ms. McDowell responded that the Court and the law have been consistent in supporting the State Constitution regarding protection from allowing a fishery from becoming too exclusive. She stated that more harm would result from the fishery being too exclusive than from having too many fishermen in the fishery. She stressed that the study would assist in determining the optimal number of permits, which is the constitutional concern. She stated the limited entry program is constitutional as "long as it is no more exclusive than necessary for the resource and the economics of the fishery." She stressed that the study is crucial in this determination.

Co-Chair Donley asked how the funding mechanism in this legislation conforms to the Supreme Court ruling specifying that funds be from the fishermen.

Ms. McDowell voiced uncertainty that the Court has established a funding source; however, she noted the Court has determined that the funding mechanism currently in place "doesn't work because of the dedicated fund problem." She stated the proposed legislation corrects this problem.

Senator Hoffman asked what factors are included in the determination of the optimum number of permits.

Ms. McDowell informed the Committee that the optimum number study could be a lengthy process and involves a full analysis of biological and economic factors including such things as: the average fish price; the average overhead including crew costs, average earnings, average food costs and debt load. She continued that the study takes into consideration net earnings, net costs and biological factors.

Ms. McDowell stated that the definition of the term "optimum number" is one of the most valuable components of this bill. She explained this term "as being a range" instead of the current "one" number; thereby allowing the number to vary based on a variety of pertinent factors.

Co-Chair Donley asked if, in addition to the determination of the optimum number, whether the number of permits considered for a "threatened" fishery would affect the buy-back program.

Ms. McDowell stated that conservation is a primary consideration of the buy back program, the other being to avoid economic distress of the fishing industry. She stated "it is a balancing act" and the optimum number takes these factors into consideration.

Co-Chair Donley asked how a threatened fishery affects the buy-back equation under this legislation.

Ms. McDowell stated that "the balancing act" of conserving the resource and ensuring a viable economic industry are taken into consideration. She informed the Committee that there is also a provision in this bill that allows individual permit holders to relinquish their permits at any time.

Senator Hoffman asked, when talking about the fishery resource, if the optimum number factors in subsistence fishing and the sport fishing industry.

Ms. McDowell stated that the optimum number is based on what is allocated to that specific fishery and whether "someone can make a living and the resource can be conserved" within that fishery.

Senator Hoffman asked if the number is determined on a seasonal basis.

Ms. McDowell qualified that this number does not vary year to year, but rather is determined over time. She stated that if a fishery experiences a considerable change, then another optimum number study might be conducted.

Senator Hoffman asked who makes the determination that another study is needed.

Ms. McDowell responded, "there is not a specific mechanism in place" for determining what would trigger an optimum number study; and, at this point, usually it would be a determination that "a fishery is getting too exclusive or overloaded." She stated that conducting an optimum number study "is a big undertaking" and would require staff to "put other work aside."

Representative Scalzi stated this bill, along with HB 286, which addresses Fishing Permits, Associations and Assessments, "are viewed as tools by the industry to help them help themselves." He stated there is no fiscal note accompanying this bill.

Representative Scalzi, referring to Co-Chair Donley's questions regarding conservation of a fishery, noted this issue is addressed in "the North Pacific Management Council under the Magnuson Act

which does have a buy-back provision for conservation purposes." He stated the Magnuson Act also includes language specifying, "there could be no re-allocation of the resource to another user group as the resource has to be dedicated to pay that buy-back back." He stated this is the only conservation buy-back proposal he is aware of.

Senator Leman asked if this fund could include money from sources other than the fishing permit holders as this process could affect other groups.

Representative Scalzi stated the legislation does provide for this option. He stated, "if he was going to be involved in a buy-back program, he would want those checks and balances in to make sure we are going to have enough of the wherewithal to pay it back." He stressed this is the reason it is so important for the program to be voluntary.

Senator Leman asked if the Department of Revenue recommendations included in their March 5, 2002 fiscal note analysis were incorporated in the bill.

Ms McDowell responded that those recommendations were adopted and included in the CS for HB #288(FIN)am.

SUE ASPELUND, Executive Director, Cordova District Fishermen United which represents fishermen and their families in the Cooper River and Prince William Sound regions, testified via teleconference from Cordova and voiced support for this bill. She stressed it includes important changes to the existing buy-back program and is appropriate to the changing needs of Alaska's fishing industry. She urged the Committee to support the bill.

DON JOHNSON, testified offnet from Soldotna in support of the bill; however, he voiced concern about the lack of a defined mechanism to trigger a new optimum number study to be conducted, and asked for a "more precise mechanism" to be determined. He then pointed out that the legal definition for the optimum number of permits established for a particular area, as defined under AS 16.43.290, is determined by the economic health of the commercial industry, maintenance of biological health of the fishery, and the economical hardship of the industry. He voiced concern that the optimum number does not factor in the public's viewpoint, and he suggested this also be a consideration as subsistence needs and economic hardship of the public is important. He continued this would also need to be addressed in AS 16.43.300. He reiterated that the needs and desires of the public should be a factor in the determination of the optimal number of permits. He contended this is a good bill, but it

needs some "fine-tuning."

Ms. McDowell responded that once the Limited Entry Commission has made its determination on what the optimum number should be, a public comment period is required which would allow the public to participate in the process.

Co-Chair Donley offered a motion to "move the CS for House Bill 288(FIN) amended from Committee with individual recommendations and three accompanying fiscal notes."

There being no objections, CS HB 288(FIN)am was REPORTED from Committee with a zero fiscal note, dated 2/01/02, from the Department of Fish and Game; a zero fiscal note, dated 3/05/02, from the Treasury Division, Department of Revenue; and an indeterminate fiscal note, dated 3/05/02, from the Division of Tax, Department of Revenue.

AT EASE 5:28 PM / 5:30 PM

#HB515

CS FOR HOUSE BILL NO. 515(FIN) am  
"An Act relating to missions and measures to be applied to certain expenditures by the executive branch of state government and the University of Alaska and by the judicial branch of state government from the state operating budget for the fiscal year ending June 30, 2003; and providing for an effective date."

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

DENNY DEWITT, Staff to Representative Eldon Mulder, explained to the Committee that this is a missions and measures bill, which is a component of the FY 03 budget. He stated this bill is a continuing process, established approximately six years earlier, to review the accomplishments of and to monitor the State's agencies. He stated that subcommittees of both the State's House of Representatives and the Senate have focused on attempting to keep data as uniform as possible to generate information that could be used as a performance gauge from year to year. He stated the missions and measures' goal is not to be too issue-specific, but rather to keep performance goals general at the policy issue level. He stressed this is a continuing process and discussions are becoming more

focused on accomplishing the specified measurements and the return the State is receiving from investing its resources in each of the agencies.

SFC 02 # 82, Side B 05:34 PM

Amendment #2: This amendment inserts new language to Section 66, the Department of Environmental Conservation, Division of Spill Prevention and Response on page 25, following line 30, to read as follows.

(8) average time to approve oil spill prevention contingency plans as compared to the prior year.

Senator Leman moved for adoption of Amendment #2 and explained this amendment would insert a new measure into the bill to address the average time of approving an oil spill prevention contingency plan.

There being no objection, Amendment #2 was ADOPTED.

Amendment #3: This amendment inserts new language to Section 3, the Department of Administration, on page 2, line 6, to read as follows.

(2) reasonable but not excessive legal and advocacy services for indigent Alaskans.

This amendment also inserts in Section 4, Administration, Office of the Commissioner, on page 2, following line 16, new paragraphs to read as follows.

(3) number of work initiatives implemented that resulted in more efficient ways to perform the department's mission compared to the prior year.

(4) innovative ways the department uses to improve the state's compliance with the merit system requirement while reducing costs.

Additionally this amendment inserts a new paragraph into Section 8, Administration, Division of Personnel, on page 3, following line 30, to read as follows.

(5) number of workers given merit increases for truly meritorious performance compared to the number of workers denied merit increases.

This amendment also inserts into Section 18, Administration, Public Defender Agency, on page 7, following line 2, a new paragraph to read as follows.

(4) wins and losses of appeals compared with the private sector.

This amendment also inserts into Section 31, Department of Community and Economic Development, Rural Energy Programs, on page 11, following line 21, a new paragraph to read as follows.

(5) number of communities that have become self-reliant in fully maintaining their power systems.

Additionally this amendment inserts new language into Section 32, Department of Community and Economic Development, Alaska Science and Technology Foundation, on page 11, lines 27 - 30, subsection (b). The amended language reads as follows:

(1) the number of new jobs created in the state from technology projects;

(2) project diversity;

(3) the new revenue to the state from technology projects;

(4) the percentage of technology project grantees in business in the state because of ASTF grants;

This amendment additionally deletes and inserts new language into Section 33, Department of Community and Economic Development, Alaska Seafood Marketing Institute, on page 12, lines 9 and 10 to read as follows.

(a)(3) accomplish these marketing efforts while maximizing ASMI staff who are Alaska residents and under ASMI employment in Alaska.

This amendment also inserts language into Section 33, subsection (b)(3) on page 12, line 15, following "Alaska." The amended language reads as follows.

(3) percentage of ASMI staff that resides in Alaska and average salaries of Alaska staff compared to out-of-state staff.

This amendment also inserts a new paragraph into Section 39, Department of Corrections, Office of the Commissioner, on page 14, following line 16 to read as follows.

(5) compliance with statutory requirements for facilities, including the Alaska No Frills Prison Act."

Additionally on page 14, line 28 in Section 40, Department of Corrections, Division of Administrative Services, the amendment deletes "audit exemptions" and inserts "audits" so that the amended language reads as follows.

(5) number of outstanding audit exceptions divided by the audits during the fiscal year.

In Section 80, Department of Health and Social Services, Division of Juvenile Justice, on page 31, following line 28, this amendment inserts a new paragraph to read as follows.

(5) satisfaction of the victims of juvenile crime with the juvenile justice system.

Additionally under Section 144, Department of Transportation and Public Facilities, Division of Statewide Design and Engineering Services, on page 54 following line 13; this amendment inserts a new paragraph to read as follows.

(7) number of miles of roads that have a level of service rating of E or F compared to the prior year.

This amendment also inserts language into Section 151, Department of Transportation and Public Facilities, Marine Highway System, page 56, line 24, following "system" to read as follows.

Sec. 151. DOT/PF - Marine Highway System. (a) The mission of the Alaska Marine Highway System is to assist in meeting the transportation needs of the traveling public and the communities served by the system while prioritizing and maximizing access to service by Alaska residents."

In conclusion, this amendment inserts a new paragraph into Section 151, on page 57, line 3 to read as follows.

(6) development of a reservation and pricing system that prioritizes use by Alaska residents.

Co-Chair Donley moved for adoption of Amendment #3.

Co-Chair Donley read the amendment language to the Committee. He explained that this amendment contains both substantive and technical changes.

Senator Leman, referring to Amendment #3 language concerning Section 8, Administration, Division of Personnel, on page 3, following line 30 about the "number of workers given merit increases for truly meritorious performance compared to the number of workers denied merit increases," questioned if "it would make more sense" to compare the number of workers given merit increases for truly meritorious performance compared to "the total number of workers." He voiced concern "that many workers are just being advanced and given merit increases just for being there."

Co-Chair Kelly stated that the wording of this amendment would provide a percentage of the total. He continued that the information this amendment language provides would show whether the merit system truly reflects deserving work or just masks "an automatic advance system."

Senator Leman reasoned that if this language would provide pertinent data it is acceptable.

Co-Chair Donley continued that within the past few years "there have been serious allegations that the Public Defenders Agency had a reputation for appealing cases that did not have merit." He commented that this amendment would compare the number of Public Defenders Agency wins and losses of appeals with those of the private sector as a measure from which to draw a conclusion as to whether the allegations have merit.

Co-Chair Donley continued explaining the provisions of the amendment.

Senator Ward informed the Committee of a program proposed by the Commissioner of the Department of Corrections that would allow for the early release of felons. He voiced his opposition to this program and inquired if this could be addressed in this bill by requiring that "the Commissioner should enforce the sentences of the Legislature and the judges and juries concerning felons." He stated the understanding that the Department's intent of this early release program is to alleviate overcrowding in the prisons. He noted the intent is that the early release felons would be electronically monitored.

Mr. Dewitt stated he is familiar with this program, and expected it to be addressed in a Conference Committee.

Senator Austerman voiced a point-of-order as there is an amendment on the table.

Senator Ward stated his desire to have the early release of felons

program concern addressed as an amendment to the amendment as he thought this would be the appropriate place to address the matter. He continued that he has received multiple communications from individuals voicing concern that the Commissioner is making release decisions contrary to those of the Legislature and judges and juries.

Co-Chair Kelly interjected this would lean toward being a change in Alaska Statutes rather than an amendment in the missions and measures bill before the Committee.

Senator Ward reiterated his concern.

Co-Chair Kelly asked Senator Ward to submit his amendment in written form.

Senator Ward agreed to do so.

Senator Leman, referring to language in the Amendment concerning how victims of juvenile crime rate the success of the Juvenile Justice System, asked how a response would be solicited from the victims.

Co-Chair Donley replied that the Department of Health and Social Services reports they have established a rapport with victims and would therefore talk with them to solicit feedback.

PHIL CUTLER, Staff to Co-Chair Dave Donley, informed the Committee that one of the missions and measures proposed in this amendment for the Department of Transportation and Public Facilities addresses highway congestion. He explained there is a term labeled "level of service" which provides a rating of "A" to "F" based on what percentage of time a major highway is congested and inhibiting the free movement of traffic. He stated the rating of "E and F" indicates that a highway is congested more than 90 percent of the time. Mr. Cutler continued that the amendment language would measure how well the Department addresses improving those highly congested roads "which costs businesses and people time and money."

Co-Chair Donley clarified that the measure of the Department's success would be whether progress had been made from the prior year reflected by a better rating.

Co-Chair Donley concluded his reading of the amendment details.

There being no objection, Amendment #3 was ADOPTED.

AT EASE 5:51 PM / 6:00 PM

Amendment #4: This amendment inserts language to Section 82, page 32, line 23 as follows.

(7) number of juvenile clients who return for treatment within 6 and 12 months of being discharged from a residential alcohol or drug abuse treatment program.

Co-Chair Donley moved for adoption of Amendment #4.

SENATOR GENE THERRIAULT, explained that this amendment contains language to assist in gauging the affects of the State's juvenile treatment programs for drug and alcohol abuse. He noted the State pays for some residential treatment programs in which youth are heavily monitored and isolated in what is commonly referred to as a "Spin-Dry" program; however, the concern is there is no counseling provided to the youth to "address the underlying behavioral problem." He furthered that, upon release, the youth often fall back into their "addictive pattern." He stated this amendment would assist in providing data to determine the success of the programs.

There being no objection, Amendment #4 was ADOPTED.

Co-Chair Donley moved to report "CS for House Bill #515 as amended by this Committee from Committee with individual recommendations and accompanying zero fiscal note."

There being no objections, SCS CS HB #515(FIN) was REPORTED from Committee with a zero fiscal note for all Departments, dated 4/16/02, from the House Finance Committee.

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#### **ADJOURNMENT**

Co-Chair Pete Kelly adjourned the meeting at 06:04 PM.