

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

April 13, 2009

1:33 p.m.

MEMBERS PRESENT

Senator Bettye Davis, Chair
Senator Joe Paskvan, Vice Chair
Senator Johnny Ellis
Senator Joe Thomas
Senator Fred Dyson

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Les Gara

COMMITTEE CALENDAR

Final Report: Alaska Child and Family Services Review
HEARD

SENATE BILL NO. 105

"An Act relating to continuing the secondary public education of a homeless student; relating to the purpose of certain laws as they relate to children; relating to tuition waivers, loans, and medical assistance for a child placed in out-of-home care by the state; relating to foster care; relating to children in need of aid; relating to foster care transition to independent living; and relating to juvenile programs and institutions."

MOVED CSSB 105 (HSS) OUT OF COMMITTEE

CS FOR HOUSE BILL NO. 35(FIN)(ct rule fld)(efd fld)

"An Act relating to notice and consent for a minor's abortion; relating to penalties for performing an abortion; relating to a judicial bypass procedure for an abortion; relating to coercion of a minor to have an abortion; and relating to reporting of abortions performed on minors."

HEARD AND HELD

SENATE BILL NO. 179

"An Act relating to notice of a minor's abortion; relating to judicial bypass of notice for a minor's abortion; relating to

coercion of a minor to have an abortion; relating to reporting of abortions performed on minors; and amending Rule 220, Alaska Rules of Appellate Procedure, and Rule 20, Alaska Probate Rules, relating to judicial bypass for an abortion."

SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: SB 105

SHORT TITLE: FOSTER CARE/CINA/EDUCATION OF HOMELESS

SPONSOR(S): SENATOR(S) DAVIS

02/11/09 (S) READ THE FIRST TIME - REFERRALS
02/11/09 (S) EDC, HSS, FIN
03/25/09 (S) EDC AT 8:00 AM BELTZ 211
03/25/09 (S) Heard & Held
03/25/09 (S) MINUTE(EDC)
04/03/09 (S) EDC AT 8:00 AM BELTZ 211
04/06/09 (S) EDC RPT CS 1DP 2NR 1AM NEW TITLE
04/06/09 (S) DP: DAVIS
04/06/09 (S) NR: OLSON, STEVENS
04/06/09 (S) AM: HUGGINS
04/06/09 (S) EDC AT 8:00 AM BELTZ 211
04/06/09 (S) Moved CSSB 105(EDC) Out of Committee
04/06/09 (S) MINUTE(EDC)
04/13/09 (S) HSS AT 1:30 PM BELTZ 211

BILL: HB 35

SHORT TITLE: NOTICE & CONSENT FOR MINOR'S ABORTION

SPONSOR(S): REPRESENTATIVE(S) COGHILL

01/20/09 (H) READ THE FIRST TIME - REFERRALS
01/20/09 (H) JUD, FIN
01/20/09 (H) PREFILE RELEASED 1/9/09
03/09/09 (H) JUD AT 1:00 PM CAPITOL 120
03/09/09 (H) Heard & Held
03/09/09 (H) MINUTE(JUD)
03/11/09 (H) JUD AT 1:00 PM CAPITOL 120
03/11/09 (H) Heard & Held
03/11/09 (H) MINUTE(JUD)
03/13/09 (H) JUD AT 1:00 PM CAPITOL 120
03/13/09 (H) Moved Out of Committee
03/13/09 (H) MINUTE(JUD)
03/16/09 (H) DP: LYNN, COGHILL, GATTO, DAHLSTROM,
RAMRAS
03/16/09 (H) JUD RPT 5DP 2DNP
03/16/09 (H) DNP: GRUENBERG, HOLMES

03/16/09 (H) JUD AT 1:00 PM CAPITOL 120
 03/16/09 (H) <Bill Hearing Canceled>
 03/25/09 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 03/25/09 (H) Heard & Held
 03/25/09 (H) MINUTE(FIN)
 03/25/09 (H) FIN AT 6:30 PM HOUSE FINANCE 519
 03/25/09 (H) Heard & Held
 03/25/09 (H) MINUTE(FIN)
 03/26/09 (H) FIN AT 5:00 PM HOUSE FINANCE 519
 03/26/09 (H) Heard & Held
 03/26/09 (H) MINUTE(FIN)
 03/27/09 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 03/27/09 (H) Moved CSHB 35(FIN) Out of Committee
 03/27/09 (H) MINUTE(FIN)
 03/30/09 (H) DP: FOSTER, KELLY, STOLTZE
 03/30/09 (H) FIN RPT CS(FIN) 3DP 4NR 4AM
 03/30/09 (H) AM: GARA, SALMON, CRAWFORD, FAIRCLOUGH
 03/30/09 (H) NR: THOMAS, JOULE, AUSTERMAN, HAWKER
 04/02/09 (H) VERSION: CSHB 35(FIN)(CT RULE FLD)(EFD
 FLD)
 04/02/09 (H) TRANSMITTED TO (S)
 04/03/09 (S) READ THE FIRST TIME - REFERRALS
 04/03/09 (S) HSS, JUD, FIN
 04/13/09 (S) HSS AT 1:30 PM BELTZ 211

WITNESS REGISTER

TAMMY SANDOVAL, Director
 Office of Children's Services (OCS)
 Department of Health and Social Services (DHSS)
POSITION STATEMENT: Presented the Alaska Child and Family
 Services Review overview.

TOM OBERMEYER, staff to Senator Davis
 Alaska State Legislature
 Juneau, AK
POSITION STATEMENT: Commented on SB 105 for the sponsor.

MIKE LESMAN, Community Relations Manager
 Office of Children's Services (OCS)
 Department of Health and Social Services (DHSS)
POSITION STATEMENT: Neutral position on SB 105.

LAURA HEYWOOD
 CASA Volunteer
POSITION STATEMENT: Supported SB 105.

KARL ECKSTROM, representing himself
Change Point, AK.

POSITION STATEMENT: Supported SB 105.

AMANDA METIVIER, Statewide Coordinator
Facing Foster Care in Alaska

POSITION STATEMENT: Supported SB 105.

REBECCA SHIRE, Statewide Representative
Facing Foster Care in Alaska

POSITION STATEMENT: Supported SB 105.

REPRESENTATIVE COGHILL
Alaska State Legislature
Juneau, AK

POSITION STATEMENT: Sponsor of HB 35.

JEAN MISCHEL
Legislative Legal Services
Legislative Affairs Agency
Alaska State Capital
Juneau, AK.

POSITION STATEMENT: Answered questions on HB 35.

ACTION NARRATIVE

[1:33:05 PM](#)

CHAIR BETTYE DAVIS called the Senate Health and Social Services Standing Committee meeting to order at 1:33 p.m. Present at the call to order were Senators Dyson, Paskvan and Davis.

Final Report: Alaska Child and Family Services Review

[1:33:19 PM](#)

CHAIR DAVIS announced the Alaska Child and Family Services Review presentation by the Office of Children's Services (OCS).

TAMMY SANDOVAL, Director, Office of Children's Services (OCS), Department of Health and Social Services (DHSS), presented the overview. She said the Child and Family Services Review is a process that the federal Administration for Children and Families does in every state. The first one in Alaska was done in 2002, and the second was done in September of last year. It is difficult to make direct comparisons between 2002 and now, because the standards changed; but their work is the same.

They were asked to do a statewide assessment and turn it in to the federal government, and the good news is that their assessments were almost identical, which means that their report to her wasn't big news. Unfortunately, the OCS did not pass. Twenty-three items were reviewed regarding the families they serve, and seven systemic factors were evaluated. OCS passed one systemic factor - their data information system, called ORCA. That is great, because ORCA is key in allowing them to get reports out in order to improve their practices.

She explained that the federal government gives feedback in specific areas. Some of their strengths are: maintaining children in their own communities, providing relative placement resources when needed, insuring that relationships with their parents and siblings are maintained and meeting the national standard for data indicators pertaining to achieving permanency for children in foster care for extended periods of time.

Other areas they didn't do so well in are: safety - protecting children from abuse or neglect, maintaining children in their own homes whenever possible and appropriate, and children having permanency and stability in their living situation. The federal government feels they need to "front end load" the system so that a family's outcomes have been successfully achieved by the time they move through the system, and the OCS has already shown improvement. For instance, the federal government says if case worker visits are done regularly, 17 of the other outcomes that need to be met will come along with it. That is a key component.

[1:37:47 PM](#)

SENATOR OLSON joined the committee.

CHAIR DAVIS asked what made it possible for them to see such prompt improvement.

MS. SANDOVAL replied that one manager told her they were really focusing on having regular meetings and were holding supervisors accountable.

CHAIR DAVIS asked her what was happening with the things that aren't getting done because more emphasis is being placed on that one issue. She was looking for a more rounded approach.

[1:41:30 PM](#)

MS. SANDOVAL replied that they would be watching that closely. Other states have found putting emphasis on one area of the review caused them to lose traction in another. However, they

know that when home visits are being done, families are being helped, and other outcomes come along with them. Anchorage got its home visit compliance up to 77 percent in March.

[1:42:35 PM](#)

MS. SANDOVAL mentioned that no state has passed all of their outcomes in the first or second reviews; so, although it is their goal to meet all of these standards, Alaska isn't completely worse than the others.

She noted that their employee vacancy rate is down, but the turnover rate is still a concern that they are working on. They have been on a continuum of systemic change and she believes when they enter into this performance improvement plan, with ORCA being able to provide such detailed information, they are poised to be able to affect the things they most need to do - safety and permanence.

[1:45:59 PM](#)

MS. SANDOVAL said safety needs to be effected most urgently. They have to get out on all their investigations timely especially when maltreatment has already occurred. This is one of their areas of weakness. An in-home services program needs to be built within the OCS to be able to keep kids safely in their homes. For a long time it has been the practice of child welfare agencies around the country to remove them, thinking that was the best way to serve children and their families. But now they know that level of intrusion is not always necessary, and they have built a system of service delivery focused on taking care of kids once they have been removed. So they need to realign their current resources to provide services in the home in the effort to keep families together.

[1:48:11 PM](#)

CHAIR DAVIS asked if she has information on any of the grantees who provide those services.

MS. SANDOVAL answered that the federal government has give them a little money. The department has put out RFPs to provide those services for one year, until the performance improvement plan is written and approved by the feds, and then plans on going for another grant.

CHAIR DAVIS asked if the state is putting any money into that.

MS. SANDOVAL said she wasn't sure.

1:49:33 PM

MS. SANDOVAL explained that there are 23 items, each with a specific measure like proximity of foster care placement, placement with visit with siblings, and relationship of child and care with their parents. The OCS gets measured on each item, so it is important to maintain balance.

She noted that they also have a systemic factor related to the case review system that is work with the court system specifically. So they are working actively and successfully with the court improvement project that is also funded by the federal government, but is housed within the court system. Protocol for visitation between children and their parents has been developed and modeled according to the specific family issues.

Another systemic factor needing improvement is quality assurance. Staff and provider training have already improved enough to pass, and OCS is working with other services to provide a stronger array. She was really disappointed to not have passed agency responsiveness to the community because they have worked on that extremely hard in the past four years. The specific measure has to do with inviting stakeholders and community partners in to develop the federal plan - and they are going to do it right this time.

The last systemic factor has to do with foster adoptive parenting, licensing, recruitment and retention, which they are continually working on. She thinks they have a plan and will approach this as a systemic reform rather than a "to do" list with service delivery from the time the phone rings until the case is closed.

1:54:45 PM

CHAIR DAVIS said she appreciated her information, and said she wanted a document from OCS listing the areas they are working on and what they are doing to improve them - maybe by the time the session reconvenes.

MS. SANDOVAL said their federal PIP is due May 4th so she should be able to provide something to the legislature at least in draft form this summer.

CHAIR DAVIS asked how often this review occurs.

MS. SANDOVAL didn't know for sure, but the last two were six years apart, and they have two years to make the necessary improvements; the time starts from when they submit the process

improvement plan, which she would forward to Senator Davis's office.

[1:57:21 PM](#)

SENATOR DYSON said he understands OCS has made significant improvements on staff turnover, but it still is an issue. He asked why.

MS. SANDOVAL said exist surveys have indicated that one reason people leave has to do with supervision issues; so supervisory training has been put in place to improve that. They are also working hard to improve recognition for the work that they do. Adding staff has helped because they reduce the work load.

SENATOR DYSON said one thing Alaska failed six years ago and again this time is meeting the federal guidelines of permanent placement within 12-18 month time frame. He asked what things were beyond her control that were making placement difficult.

[1:59:28 PM](#)

MS. SANDOVAL answered that she knows there are things beyond her control, but she also knows it is her responsibility to try to affect each of those things. So, they are working much more collaboratively with the court system, which she believes will help.

SENATOR DYSON said when you take custody of a child you have to appear before a magistrate to confirm that it was the right decision, and he asked how long it takes to get to that hearing. And once they have decided to go for termination of parental rights, how long does it take to get into court.

[2:01:12 PM](#)

MS. SANDOVAL said she knows it takes too long. Sometimes the reasons for delay have to do with the attorney, sometimes with the fact that the OCS worker just vacated.

SENATOR DYSON said lawmakers would like to know if barriers exist or if things need to be changed.

SENATOR PASKVAN asked where Alaska is on the list relative to other states.

[2:04:08 PM](#)

MS. SANDOVAL replied that she has heard Alaska is near the bottom.

SENATOR PASKVAN asked if other systems could be looked at in our most deficient areas.

MS. SANDOVAL replied yes; the federal government has 11 national resource centers that provide free technical assistance to states, and four of them are getting ready to help the department now. The last PIP had a bunch of successful pilot programs, "and now the goal is to standardize the good practice and let go of the bad."

[2:06:02 PM](#)

SENATOR PASKVAN asked what the potential consequences of failing to make the corrections in two years are, and what different things Alaska would face relative to other states.

MS. SANDOVAL responded there will be a penalty of a minimum of almost \$269,000 for FY/2008, which would amount to paying back the federal funding for running the state's foster care program.

SENATOR PASKVAN remarked if they spent that much more money to make this work, they would be revenue neutral as opposed to being revenue deficient for failing.

MS. SANDOVAL thanked him for making that point.

[2:07:36 PM](#)

CHAIR DAVIS said thanks for the report and recognized that Senator Ellis had joined the meeting.

SB 105-FOSTER CARE/CINA/EDUCATION OF HOMELESS

CHAIR DAVIS announced consideration of SB 105 [Version E CSSB 105(EDC) was before the committee].

[2:07:52 PM](#)

TOM OBERMEYER, staff to Senator Davis, sponsor of SB 105, presented the sponsor statement and overview of changes in the proposed committee substitute (CS) labeled 26-LS0556\C. He explained that the word "commission" was changed to "institution" on page 3 in order to recognize that schools and institutions should be making the decision as to what is needed for the student rather than the Alaska Commission on Postsecondary Education.

The other main change is that the stipend was reduced on pages 11-12 not to exceed nine months with different age parameters. The person has to be 18 or older, has to be participating in a

services program and has contact with a social worker involved in the program. The stipend must be what is necessary to meet the individual's living expenses as determined by the department and it shall not exceed the daily rate provided for a licensed foster parent for the first six months of eligibility; and if it goes beyond that, it's not to exceed more than one half that amount for an additional three months. It also indicates that the department shall pay the stipend until the date that the individual reaches 21 years of age or has left out-of-home care for six months. He did not have a new fiscal note.

[2:12:14 PM](#)

MIKE LESMAN, Community Relations Manager, Office of Children's Services (OCS), Department of Health and Social Services (DHSS), said SB 105 has good language, but the department has a neutral position. He agreed with Ms. Sandoval's explanation. The front end work is the most urgent and OCS intends to initiate investigations, assess safety and risk to children, and prevent removing them from their homes if at all possible in the hopes that this will reduce the problems on the back end of the system.

SENATOR ELLIS asked about the Child In Need Of Aid (CHINA) provisions.

MR. LESMAN responded that those statutes have been cleaned up a great deal, like replacing the words "foster care" with "out-of-home care". Another is that this bill would allow the State of Alaska to maintain custody up to age 21 whereas currently with a couple of court orders they can only maintain custody up to age 20.

[2:17:18 PM](#)

LAURA HEYWOOD, CASA Volunteer (court appointed special advocate), explained that they are appointed by the court to advocate for children who are in state custody for CHINA cases. They work with lots of professionals, but one difference is that they have very small case loads (one or two cases at a time). They are not professionals, but are trained by the program that is administered by the Office of Public Advocacy and supervised by their guardian ad litem. Ms. Heywood said she is also the vice president of Friends of Alaska CASA, which is the non-profit that raises money to support the CASA program. They do things like meet kids' needs that aren't covered elsewhere and support volunteers.

MS. HEYWOOD said SB 105 promotes education to a higher level than before and has learned during her work just how important that is. Education is the only thing that can't be taken away from some of those children.

[2:19:55 PM](#)

SENATOR THOMAS joined the meeting.

MS. HEYWOOD said that in the five years she has worked with CASA she has advocated for six children. These children spent a lot of time in residential treatment because of the issues related to foster care. When those kids age out of care, they return to their communities where they may have no family so they don't have any connections to help them. She wanted to make a special pitch for this bill to help them with this transition.

[2:21:28 PM](#)

KARL ECKSTROM, representing himself, Change Point, AK, supported SB 105. He said the Change Point has The Downtown Soup Kitchen that serves about 500 homeless people a day and the population of kids they serve who are in foster care is increasing.

[2:22:34 PM](#)

AMANDA METIVIER, Statewide Coordinator, Facing Foster Care in Alaska, supported SB 105. She said she is also an alumni of the Alaska's foster care system and is currently a foster parent. She said the 38 percent of the young people who "age out" of foster care end up homeless; about 30 percent become incarcerated at some point and they have a high rate of teen pregnancy. They also have a high rate of utilization of public assistance.

She said currently the state provides 10 tuition waivers annually for young people who age out. Statewide 28 youths are attending college on those waivers and 10 more youth are attending college without assistance from the tuition waiver.

Anecdotally she said she came into foster care as a teenager, and by the time she came into state custody she was so far behind in school that she dropped out and had to deal with the stress and trauma of not only what happened in her home, but with having been removed from her home and being placed in a new family. She was lucky enough to have a social worker who helped her get a waiver and encouraged her to continue her education. At the time the state was offering five tuition waivers a year. Without that waiver she would not have finished her education, and she graduated last year with a Bachelor's Degree in social

work. A lot of people who age out have no help. So if they don't get into a program right away, they don't wait around to try again because they have to make a living. They end up on the street.

[2:25:16 PM](#)

REBECCA SHIRE, Statewide Representative, Facing Foster Care in Alaska, said she is currently in foster care. She supported SB 105. During her six years in custody she has attended seven different schools, four were in her first year of foster care. Throughout the year she switched between those first schools several times - as well as being home schooled. She was in and out of treatment that year as well. She had trouble making friends and had no lasting relationships.

She said according to the U.S. Department of Education, students fall behind 4-6 months in their education with each placement change. She finally graduated late. She is now a social work major at UAA because of the tuition waiver. If she had not gotten it, she would probably not have continued her education.

[2:27:37 PM](#)

REPRESENTATIVE GARA said the provisions in this legislation will make a huge difference in the lives of foster youth. The aim of the bill is to come up with feasible things that will make a difference in the lives of youth. The things that he feels are most important in this bill are:

- Keeping youth in the same school - federal law says homeless youth should be able to stay in the same school as they move around. It has previously covered only youth awaiting foster care. This expands that protection. Obviously it's only in the same district; if it's feasible they do it.
- Having provisions aimed at fixing the statistic that roughly 38 percent of youth coming out of foster care end up homeless. So this extends the assistance that was previously available to only that small number to all foster youth. It includes tuition waivers and ETV (employment training vouchers). These are not terribly expensive provisions.
- Trying to solve the homeless problem. There is now one month of full rental help and a couple of other months with half of that. This extends it for up to six months rental help and then three months at half level.
- Allowing foster youth to stay in foster care and on Medicaid until age 21. Not all youth are ready to leave foster care at 18.

- Having an advisory provision. This bill provides for a monthly face-to-face visit.

He said that these are fairly inexpensive fixes.

[2:35:06 PM](#)

SENATOR ELLIS asked where Alaska stacks up compared to other states and how would that would change if this passes.

REPRESENTATIVE GARA said he couldn't answer that question.

SENATOR DYSON asked if keeping foster kids in the same school is currently financed through the school budget.

REPRESENTATIVE GARA answered yes.

SENATOR DYSON observed that they seem to be moving toward a model that requires the schools to fix a lot of the problems of non-functional families, and he wondered if it doesn't make more sense for the foster care system to do that.

REPRESENTATIVE GARA replied that all of the provisions in the bill say "subject to funding from the state".

CHAIR DAVIS said this bill prefers the money go directly to them, not through OCS, because that delays things.

SENATOR DYSON said he agrees that it would be best for the money to go to the foster parents who would then provide transportation.

[2:38:47 PM](#)

REPRESENTATIVE GARA responded that you can't force foster parents to be prefect; so if the parent isn't going to try to keep a kid in the same school, you have to work through OCS.

SENATOR DYSON disagreed with that scenario.

SENATOR THOMAS asked what the reason was for changing "out-of-home care" to "foster care".

REPRESENTATIVE GARA answered that "foster care" is when a child is with an unrelated foster parent and "out-of-home care" is when a child is with a relative. Together they are supposed to encompass all kids who are in foster care.

[2:40:20 PM](#)

SENATOR PASKVAN moved to adopt the proposed committee substitute for SB 105, labeled 26-LS0556\C, as the working document. There being no objection, version C was before the committee.

SENATOR DYSON asked what the department's position is.

MR. LESMAN responded that the department's position is neutral for the reasons stated previously.

SENATOR DYSON asked if anything could be done to make it more palatable.

MR. LESMAN said the biggest challenge in the bill has to do with the monetary living stipend. Existing language leaves a lot to be worked out.

[2:43:22 PM](#)

SENATOR PASKVAN moved to report CS for SB 105 from committee with individual recommendations and attached fiscal note(s). There being no objection, CSSB 105(HSS) moved from committee.

At ease from 2:44 p.m. to 2:46 p.m.

HB 35-NOTICE & CONSENT FOR MINOR'S ABORTION

[2:46:19 PM](#)

CHAIR DAVIS announced consideration of HB 35. [CSHB 35(FIN) (CT RULE FLD)(EFD FLD) was before the committee.]

REPRESENTATIVE COGHILL, sponsor of HB 35, said it deals with a supreme court ruling that came down two years ago saying that parental consent and notification had failed. He looked for a balance between the constitutional right of a young minor child under freedom of choice and the right of parents to guide them.

[2:48:02 PM](#)

The state has agreed that parents have the responsibility to guide immature youngsters' choices and even veto them. His bill says the minor must obtain consent of the parents and have a 48-hour notice if the parents were fit and loving. Parental consent is not required if the youngsters are married, legally emancipated, self-subsisting and employed, or in the military. If they chose not to include the parents, they could go to court and demonstrate their own maturity and get consent to have an abortion. If the court doesn't act, that would be de-facto consent. Everywhere "consent" is used, "notification" is inserted.

[2:51:14 PM](#)

For sexual or physical abuse of the child, parents would have to be notified; if not the parents, the bill requires an adult sibling, a grandparent, a police officer or officer of the court that has knowledge of the sexual abuse. The reason is that you don't want a youngster being further intimidated to sign a sworn statement without somebody protecting them.

CHAIR DAVIS stated that the Senate committee substitute (SCS) had not been adopted and clarified that the sponsor asked her to roll the notification provision from the Senate bill into his bill.

REPRESENTATIVE COGHILL added that it became clear that the only way to get this bill through this legislative session was to go with parental notification rather than consent.

[2:53:39 PM](#)

CHAIR DAVIS asked if the Senate sponsor agreed with using his language.

REPRESENTATIVE COGHILL answered yes. The SCS is the same basic outline of HB 35 without the consent language.

SENATOR ELLIS said he wanted to understand more about the SCS before adopting it. He asked if they are talking about parental notification, why doesn't the title say "An Act Relating to Notice for a Minor's Abortion."

[2:56:58 PM](#)

JEAN MISCHEL, Legislative Legal Services, explained that the House title was retained because it still adequately described the bill. The Senate bill has a shortened title and the other difference is the existence of the court rules and an effective date that failed on the House side. The Senate bill also retained the medical emergency exception that was in the "A" version of the House bill that didn't pass House Finance.

SENATOR ELLIS said he was troubled by the title having the word "consent" in it.

MS. MISCHEL explained that "consent" is in the current version only to the extent that it is being repealed from existing law in this SCS and that there is not title problem.

SENATOR ELLIS remarked, "Well, it is for me."

CHAIR DAVIS said it appears that the court language has been removed from the CS.

MS. MISCHEL agreed that the court rules were not in the proposed CS, version E.

[3:00:03 PM](#)

CHAIR DAVIS said she still intends to hear SB 179.

REPRESENTATIVE COGHILL said he would be willing to accept a title amendment to the SCS.

[3:05:27 PM](#)

SENATOR PASKVAN moved to adopt SCS CSHB 35, labeled 26-LS0192\E, as the working document.

SENATOR DYSON objected, saying he preferred the original version.

A roll call vote was taken: Senators Thomas, Paskvan, Davis, Ellis voted yea; Senator Dyson voted nay. Therefore, SCS CSHB 35, version E, was adopted.

CHAIR DAVIS held HB 35 in committee.

[3:09:28 PM](#)

There being no further business to come before the committee, Chair Davis adjourned the meeting at 3:09 p.m.