

# Journal of the House

## SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 9, 2001, 11:00 a.m.

The House met pursuant to adjournment with Speaker Glasscock in the chair.

The roll was called with 125 members present.

Prayer by guest chaplain, the Rev. Bob Arthur, pastor Grace Baptist Church, Manhattan, and guest of Speaker Glasscock:

Heavenly Father, we come into your presence this morning knowing that the Bible says that you are the good and glorious God Almighty. You have shown your goodness already in giving us your Scriptures, and you have said in Psalm 84 that *"no good thing does He withhold from those who walk uprightly."*

As we stand here this morning I am reminded of the many great civic and national leaders of the past whose lives and deeds are recorded for our encouragement in the Bible. Men and women who walked uprightly before you as they led their nations and peoples. We too stand before you this morning desiring to walk as they walked and that your goodness would be poured out upon this legislative body.

My request this morning, Father, is that these men and women, like the great King Solomon, would seek wisdom from above as they make difficult decisions in the days ahead; and that they have the uncompromising integrity, like Daniel, who chose to do what was right even though it meant the lions' den; and that they, like Queen Esther, give themselves sacrificially for the people they lead. Many more examples could be mentioned if time allowed, but I ask that you would richly bless and lead today and in the days ahead.

All these things I ask in the name of Jesus, the King of Kings and Lord of Lords.  
Amen

The Pledge of Allegiance was led by Rep. Phelps.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were introduced and read by title:

**HB 2022**, An act concerning retirement; relating to the Kansas public employees retirement system; investment standards; amending K.S.A. 2000 Supp. 74-4921 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

HOUSE CONCURRENT RESOLUTION No. 5002—

By Joint Committee on Corrections and Juvenile Justice Oversight

A CONCURRENT RESOLUTION declaring that the Kansas Legislature shall refrain from passing any amendments to the Kansas Sentencing Guidelines Act and the Juvenile Offender Placement Matrix relating to sentencing or placement during calendar year 2001 and that thoughtful consideration be given to any changes in the future.

WHEREAS, The Kansas Sentencing Guidelines Act was implemented on July 1, 1993; and

WHEREAS, The underlying goals of the Kansas Sentencing Guidelines Act were based on the premise that longer sentences should be imposed for violent, chronic offenders and that nonviolent offenders be punished appropriately within the community, thus protecting the public safety while maximizing limited state resources; and

WHEREAS, Numerous changes have been made to the Kansas Sentencing Guidelines Grid since enactment including increasing and decreasing the length of sentences, creating or reclassifying crimes and increasing the severity level of a crime; and

WHEREAS, There have been at least three major modifications to the Sentencing Guidelines Grid itself and at least 65 other changes to the criminal code which have increased correctional utilization needs since original enactment of the Grid; and

WHEREAS, Some sentence lengths have been more than tripled since the original Sentencing Guidelines Grid was enacted; and

WHEREAS, Such increases in sentence lengths have long-term impacts on correctional resource needs since sentence lengths have a direct correlation with the increase in the number of prison beds required in future years; and

WHEREAS, The Juvenile Offender Placement Matrix became effective on July 1, 1999; and

WHEREAS, The Juvenile Offender Placement Matrix was enacted to bring uniformity and clarity to the process of committing juveniles to the juvenile correctional facilities; and

WHEREAS, The Juvenile Offender Placement Matrix was enacted to bring enhanced accountability under the Juvenile Justice Reform Act by requiring juveniles who commit violent acts to be placed in juvenile correctional facilities while juveniles who commit nonviolent acts would be effectively supervised in the community unless they possess a specific prior record; and

WHEREAS, The short time in which the Juvenile Offender Placement Matrix has been in effect necessitates a thoughtful and careful analysis of any potential changes or amendments to the Juvenile Offender Placement Matrix to avoid some of the same uncertainty and unpredictability of results that has beset the Kansas Sentencing Guidelines Grid; and

WHEREAS, The danger of constant and continual changes and modifications to the grid or the matrix is that the underlying policy becomes ineffective and threatened, and it becomes difficult, if not impossible, to evaluate whether a policy is effective; and

WHEREAS, Although no one change has threatened or would threaten the integrity of the grid or the matrix, the cumulative effect of the various changes is of great concern since the impact of such changes is not realized either fiscally or operationally until some point in the future; and

WHEREAS, The development of a valid and reliable data base to monitor and analyze sentencing and placement issues is dependent on a constant and unchanging grid and matrix. Such consistency would allow for a comprehensive review and analysis of sentencing and placement trends and issues: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That we declare that the Kansas Legislature shall not pass any amendments to the Kansas Sentencing Guidelines Act nor the Juvenile Offender Placement Matrix during calendar year 2001 and that thoughtful consideration be given to any proposed changes in the future.

#### **COMMUNICATIONS FROM STATE OFFICERS**

From Kent Lamb, Chairman, Kansas Water Authority, Summary Papers of the studies addressing the issues required under section 15 of 1999 **H. Sub. for SB 287**, January 8, 2001.

From M.L. Korphage, Director, Kansas Corporation Commission, Conservation Division, Abandoned Oil & Gas Well Status Report, January 8, 2001.

From M.L. Korphage, Director, Kansas Corporation Commission, Conservation Division, Remediation Site Status Report, January 8, 2001.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

#### **MESSAGE FROM THE SENATE**

Announcing adoption of **HCR 5001**, a concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

The Senate announces the appointment of Senators Corbin and Goodwin to escort the Governor and Senators Clark and Gooch to escort the Lt. Governor. Also, Senators Harrington and Haley to escort the Supreme Court.

On motion of Rep. Weber, the House adjourned until 11:00 a.m., Wednesday, January 10, 2001.

CHARLENE SWANSON, *Journal Clerk*.

JANET E. JONES, *Chief Clerk*.

