

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by Senator August "Gus" Bogina at
Chairperson

11:00 a.m./p.m. on February 14, 1985 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Research Department: Ed Ahrens, Mary Galligan, Robin Hunn, Alan Conroy,
Gloria Timmer

Revisor's Office: Norman Furse

Committee Office: Judy Bromich, Doris Fager

Conferees appearing before the committee:

Elwaine Pomeroy, Chairman, Kansas Adult Authority

Dr. Russell Getter, DISC

Art Griggs, Chief Attorney, Department of Administration

Dr. Robert Harder, Secretary, Social and Rehabilitation Services

SB 174 - Compensation of members of Kansas Adult Authority

Senator Pomeroy distributed information concerning the Kansas Adult Authority (Attachment A) and proceeded to comment on that information. He reminded the committee that the name of the Authority will be changed to Kansas Parole Board effective January 1, 1986.

Mr. Pomeroy continued by stating that, since the Authority was changed from five to three members, all of the panel attend every hearing and are included in the decisions. He explained that the exception to this are hearings conducted for the inmates shortly after they enter the system. Each member is assigned to specific institutions for those hearings. He said that a 50-hour week is a light week for members of the Kansas Adult Authority.

When asked by the Chairman about the \$2,475 increase over the Governor's budget (noted in the fiscal note on SB 174), Senator Pomeroy explained that amount is for added compensation for the Chairman of the panel. He added that an increase for all members is more important than the additional for the Chairman.

There were several questions from Committee members concerning numbers of parolees. Mr. Pomeroy said he could not immediately provide that information.

In answer to a question from Senator Gaines, Mr. Pomeroy said SB 174 places the salaries of the Kansas Adult Authority at the same level as the Board of Tax Appeals; and the request for passage of the bill is merely implementing what the Governor has suggested in his budget.

Motion was made by Senator Talkington and seconded by Senator Johnston to report SB 174 favorably for passage. The motion carried by roll call vote.

HB 2027 - Telecommunications for state agencies; negotiating procedures, etc.

Senator Bogina explained to the committee that HB 2027 provides the Department of Administration more flexibility in negotiating for purchases of telecommunications. He asked Dr. Getter to comment on the measure.

Dr. Getter indicated that HB 2027 is a direct result of divestiture and deregulation of the telecommunications industry. He said there are five legal parts to the current telecommunications area, and at the present time each part is bid separately. HB 2027 would enable the Department of Administration to make those procurements as part of an over-all system by providing for negotiations after the original bids are seen.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
 room 123-S, Statehouse, at 11:00 a.m./p.m. on February 14, 1985.

HB 2027 - Continued

Mr. Griggs continued the discussion by stating the possibility that the lowest original bid may not be the one accepted by the State. He indicated that this type of bidding is now being done for health insurance and financial services; and that the state has saved money by being able to negotiate following the original bidding process. He added that in the field of telecommunications, the complexity of fitting the five different areas together is important.

Motion was made by Senator Johnston and seconded by Senator Harder to report HB 2027 favorably for passage. The motion carried by roll call vote.

HB 2174 - Appropriations FY 1985, security fence and lighting for Larned State Hospital

Secretary Robert Harder explained the need for having the security fence in place before good weather arrives. He indicated it should be in place in early June. He explained to the committee that Representative Susan Roenbaugh had asked him to stress her concern to the committee and to ask that the bill be reported favorably.

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Committee members were given/opportunity to question Secretary Harder. Senator Bogina asked if the Building Construction Committee had reviewed this item. Senator Harder said it had been reviewed and recommended by the Building Construction Committee, but it was hoped the Department of Social and Rehabilitation Services could get a lower bid on the work.

Mr. Furse called the committee's attention to a technical amendment which should be made in line 38 so that the proviso will correspond with the amendment adding "and security lighting" in line 34.

Motion was made by Senator Talkington and seconded by Senator Feleciano to make the necessary technical amendment in line 38 by making reference to security lighting. The motion carried by voice vote.

Motion was made by Senator Winter and seconded by Senator Harder to report HB 2174 as amended favorably for passage. The motion carried by roll call vote.

HB 2015 - Submission of agency budgets to Legislative Research Department

Senator Bogina reviewed the bill and reminded the committee of the background of the measure. He indicated he had discussed the bill with the Governor, and could think of no appropriate amendments to improve the wording.

Motion was made by Senator Gaines and seconded by Senator Werts to report HB 2015 favorably for passage. The motion carried by roll call vote.

The meeting was adjourned by the Chairman.

The Agency

KANSAS ADULT AUTHORITY

AGENCY OPERATIONS

The Kansas Adult Authority consists of three members appointed by the governor, subject to confirmation by the Senate, to four-year terms. In addition to making parole decisions related to inmates certified as parole eligible by the Department of Corrections, the authority also conducts initial hearings with all offenders upon their entry into the correctional system; conducts parole revocation hearings; issues final discharges from parole supervision; and reviews applications for executive clemency and pardons.

All inmates entering the correctional system meet with the authority within the first 180 days after sentencing. At the initial hearing, an inmate's parole eligibility date is determined and the inmate is informed of the considerations used by the authority in deciding whether to grant parole. During FY 1984, the authority conducted 1,986 initial hearings.

When an inmate is certified as parole eligible by the Department of Corrections, a hearing is granted before the authority to consider parole release. The parole hearing gives the inmate an opportunity to discuss all matters pertinent to parole release and to present a parole plan that has been developed by the inmate and state corrections officials. During FY 1984, the authority conducted 1,743 regular parole hearings.

Prior to parole hearings, the Adult Authority conducts public comment sessions to obtain additional information pertinent to the parole process. Conducted monthly in the cities of Topeka, Wichita, and Kansas City, the public comment sessions offer the general public, criminal justice and law enforcement officials, and other interested parties an opportunity to offer comments regarding parole eligible offenders.

The authority grants parole only to those inmates judged able and willing to fulfill the obligations of a law-abiding citizen. Parolees who later violate conditions of parole are returned to the criminal justice system. In such cases, the Adult Authority conducts parole violator hearings. During FY 1984, the authority conducted 566 parole violator hearings.

All parolees who successfully complete the parole period are discharged from parole by the authority with full restoration of all civil rights. During FY 1984, 751 parolees were discharged from parole.

AGENCY OBJECTIVES

To hold 2,000 initial hearings.

To hold 2,722 parole hearings.

To hold 36 public comment sessions.

To hold 566 parole violator hearings.

STATUTORY HISTORY

Kansas established its first formal release procedure, administered by the Prison Board, in 1903. In 1957, the Prison Board was replaced by a Board of Probation and Parole. The Kansas Adult Authority replaced the Board of Probation and Parole in 1974, and membership of the authority was increased from three to five part-time appointees. The Penal Reform Act of 1973 also authorized the transfer of the parole supervision function from the paroling authority to the secretary of corrections. In 1979, the status of the authority was increased to full-time. The 1984 Legislature reduced the membership of the authority from five to three members and changed the authority's name to the Kansas Parole Board, effective January 1, 1986. Current statutory authority is found in K.S.A. 22-3701, 22-3706, and 22-3707 et seq., as amended.

GOVERNOR'S RECOMMENDATION

The governor's recommendation will allow the Kansas Adult Authority to maintain its current level of operations in light of projected increases in the number of initial and parole hearings the authority will conduct in FY 1986. The governor's recommendation also includes funds of \$15,114 so that the salary of the authority members can be established at an amount equal to the salary received by members of the Board of Tax Appeals.

KANSAS ADULT AUTHORITY

Budget Page No. 4-17
 Approp. Bill Sec. 4

<u>Expenditure Summary</u>	<u>Agency Est. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Agency Rec. FY 86</u>	<u>Governor's Rec. FY 86</u>
State Operations:				
All Funds	\$ 316,280	\$ 316,280	\$ 359,285	\$ 339,974
State General Fund	316,280	316,280	359,285	339,974
Percentage Change:				
All Funds	(6.1)%	(6.1)%	13.6%	7.5%
State General Fund	(6.1)	(6.1)	13.6	7.5
F.T.E. Positions	8.0	8.0	8.0	8.0

Part One: Operating Budget Summary

<u>Item</u>	<u>Governor's Recommendation</u>
<u>Fiscal Years 1985 and 1986 Budget Summary</u>	
<p>1. <u>Summary.</u> For FY 1986, the agency requests a total budget of \$359,285, all of which is for operating expenditures. Estimated expenditures for FY 1985 total \$316,280 which is the same amount that was originally approved.</p> <p>2. <u>Salaries and Wages.</u> A total of \$284,176 is requested for salaries and wages in FY 1986. This compares with \$252,822 in FY 1985.</p> <p>a. <u>Administrative Officer Retirement.</u> The present Administrative Officer III has announced plans to retire no later than May, 1986. The agency has requested \$2,428 (excluding fringe benefits) for the hiring of a replacement Administrative Officer III (director) at least one month prior to the actual retirement of the present Administrative Officer III. The agency maintains the requested overlap will permit for a smooth transition between the present director and his replacement.</p> <p>b. <u>Board Member Compensation.</u> The agency is requesting an additional \$14,283 (excluding fringe benefits) to increase the existing salary of the Authority members. The requested amount would increase the annual rate of compensation from \$44,904 to \$49,665. The present salary is set by the Governor. The requested increase would place the salary of Authority members at the same level as members of the Board of Tax Appeals whose salary is statutorily equal to that of Administrative Associate District Court Judges (the salary of the Chairman of the Board of Tax Appeals is equal to the salary of an Administrative District Court Judge).</p> <p>3. <u>Communication.</u> An amount of \$18,800 is requested for FY 1986, including \$15,600 for telephone costs, and \$3,200 for regular postage. This compares with the FY</p>	<p>1. The Governor's recommendation totals \$339,974 or \$19,311 less than the agency's request. For FY 1985 the Governor's recommendation is the same as the agency's estimate.</p> <p>2. For salaries and wages in FY 1986 the Governor recommends \$270,165 which does not include funds for the pay plan modification. A separate salary reserve has been recommended for all state agencies. The Governor concurs with the agency in FY 1985.</p> <p>a. The Governor's recommendation provides funding for a transition period for the new administrative officer.</p> <p>b. The Governor concurs with the agency's request for increased Authority member compensation.</p> <p>3. For communication in FY 1986 the Governor recommends \$14,000 or \$4,800 less than the agency requested. The</p>

74-2434. State board of tax appeals; annual salaries of members; full-time duties. (a) Each member of the board shall receive an annual salary as provided in this section. Each of the members of the board shall devote full time to the duties of such office.

(b) Effective for the first payroll period chargeable to the fiscal year ending June 30, 1985, and to each fiscal year thereafter, the annual salary of the chairperson shall be an amount equal to the annual salary paid by

the state to a district judge designated as administrative judge.

(c) Effective for the first payroll period chargeable to the fiscal year ending June 30, 1985, and to each fiscal year thereafter, the annual salary of each member other than the chairperson shall be an amount equal to the annual salary paid by the state to an associate district judge designated as administrative judge.

History: L. 1957, ch. 429, § 2; L. 1961, ch. 409, § 3; L. 1969, ch. 369, § 2; L. 1973, ch. 175, § 62; L. 1974, ch. 361, § 65; L. 1976, ch. 380, § 11; L. 1978, ch. 350, § 4; L. 1981, ch. 30, § 4; L. 1984, ch. 318, § 13; July 1,