

Approved 2/24/88 Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:00 a.m. ~~XXXX~~ on February 19, 19 88 in room 254-E of the Capitol.

All members were present except:

Senator Anderson and Senator Daniels were excused.

Committee staff present:

Mary Galligan, Legislative Research
Emalene Correll, Legislative Research
Mary Torrence, Assistant Revisor of Statutes

Conferees appearing before the committee:

Mr. Charles "Chuck" Simmons, Legal Counsel, Department of Corrections

The Chairman welcomed Mr. Charles Simmons, who appeared for the hearings concerning SB649, concerning assessment of costs of transporting correctional inmates to court proceedings; and SB651, concerning work by inmates outside correctional institutions. (Attachments #1 and #2)

On SB651, in response to a question he said they would not oppose a limitation placed in the bill to make it applicable only to minimum custody inmates. Sen. Bond moved such an amendment. The motion was seconded by Senator Arasmith. The motion carried.

On SB646, there was a suggested amendment concerning medical care facility. The amendment was to strike the word "hospital" in line 34 and replace it with "licensed medical care facility." Senator Bond moved that it be recommended favorably as amended. The motion was seconded by Senator Martin. The motion carried.

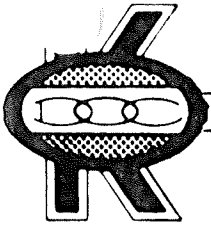
SB647, concerning inmate employment and training, was recommended favorable for passage . The motion was made by Senator Martin and seconded by Senator Bond. The motion carried.

SB648, concerning the purpose of the Kansas Reception and Diagnostic Center, was the next bill to be considered by the Committee. Senator Vidricksen moved it favorably for passage. The motion was seconded by Senator Arasmith. The motion carried.

SB651, with the amendment previously mentioned, was recommended favorably for passage. Senator Strick made the motion, which was seconded by Senator Bond. The motion carried.

The Chairman announced that SB649, concerning transportation of inmates, would require further study and discussion. It will be taken up at a later date.

The meeting was adjourned.



KANSAS DEPARTMENT OF CORRECTIONS

MIKE HAYDEN, GOVERNOR

ROGER V. ENDELL, SECRETARY

LONDON STATE OFFICE BUILDING — 900 SW JACKSON
TOPEKA, KANSAS — 66612-1284
913-296-3317

February 18, 1988

TO: Senate Federal and State Affairs Committee
FROM: *Roger V. Endell*, Secretary of Corrections
RE: SENATE BILL NO. 649

On October 5, 1987, the Attorney General released opinion number 87-147. In this opinion, the Attorney General concluded that the custodian of a prisoner is the proper entity to be charged with the transportation of the prisoner to court for proceedings on a civil action.

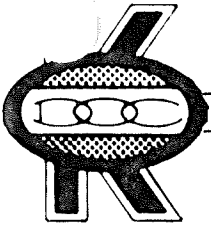
The Department of Corrections is the custodian of approximately 5800 inmates at this time. The impact of this opinion on the Department of Corrections would be significant. It would mean that the Department of Corrections would have the responsibility of transporting inmates to all 105 counties for court hearings such as divorces, custody hearings, and personal injury actions. The Department of Corrections would not be a party to these actions nor would it have an interest in the outcome.

At the current time, due to high inmate population levels, the Department of Corrections is having a difficult time in meeting the transportation needs of the inmate population. There is a backlog of inmates who need to be scheduled for medical services outside the institutions. There are an increasing number of court hearings involving the institutions to which inmates must be transported. There are additional staff demands at the institutions.

Simply put, the Department of Corrections does not have the staff or resources to undertake the additional responsibility of transporting inmates around the state to court hearings that in no way involve the Department of Corrections. That responsibility should rest with someone else.

RVE:CES/pa

*Senate FSA
2/19/88
Attachment #1*




KANSAS DEPARTMENT OF CORRECTION

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February 18, 1988

TO: Senate Federal and State Affairs Committee
FROM:  Roger V. Endell, Secretary of Corrections
RE: SENATE BILL NO. 651

K.S.A. 75-52,116 and K.S.A. 1987 Supp. 75-52,117 currently authorize inmates of honor camps and prerelease centers to be temporarily released from those facilities for the purpose of working for state and federal agencies, local governmental units, school districts, and non-profit charitable organizations. The inmates assigned to an entity are supervised by representatives of that entity. The supervising representative receives training from the Department of Corrections. This program has been in place for honor camp inmates for several years and was extended to prerelease center inmates last year.

To expand work opportunities for inmates, I am proposing that K.S.A. 75-52,116 be amended to extend this work program to all institutions of the Department of Corrections. This will not only benefit the inmates by making work opportunities available, but it will also benefit the institutions by reducing idleness and will enable communities around the institutions to complete projects which would otherwise go undone.

Careful selection of inmates for assignment to these projects would be undertaken in consideration of public safety concerns. The program would function in the same manner as it now does for the honor camps and prerelease centers.

RVE:CES/pa

Senate FSA
2/19/88
Attachment #2