

MINUTES OF THE House COMMITTEE ON Judiciary

The meeting was called to order by Representative John M. Solbach at
Chairperson

3:30 ~~xxx~~ p.m. on January 17, 1991 in room 313-Sof of the Capitol

All members were present except:

Representatives Douville, O'Neal, Sebelius and Snowbarger who were excused

Committee staff present:

Jerry Donaldson, Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Gloria Leonhard, Secretary to the Committee

Conferees appearing before the committee: (See Page 2 of 2)

The Chairman called the meeting to order and stated that he is a member of a select committee currently in session; therefore he requested Vice Chairperson, Denise Everhart, to chair the January 17, 1991, House Judiciary Committee Meeting.

Hearing was conducted on HB 2011.

Department of Corrections General Counsel, Chuck Simmons appeared in opposition to the portion of the bill which reduces the amount of resources available to the DOC, letter dated 1/17/91, from Steven J. Davies, Secretary of Corrections, was distributed (Attachment #1). Dennis Williams, DOC, pointed out that funds cut would need to be replaced from the State General Fund or reduce projects.

Sen. Nancy Parrish appeared as a proponent for HB 2011. Sen. Parrish distributed (Attachment #2) from Advisory Committee on Juvenile Offender Programs. Sen. Parrish said the goal of the legislation is to assist in getting juveniles out of county lock-ups and city jails; that Federal funds have been received over about a decade for that purpose; that last session legislation was passed to get juveniles out of adult jails; that HB 3021 and SB 770 provided additional funds; that detention facilities are badly needed throughout the state. Sen Parrish explained Region Recommendations set out on (Attachment # 2) (page 2-2) that Juvenile Detention Facilities Fund and Juvenile Detention Capital Improvements Fund be combined and that control over the distribution of those funds be given to the Juvenile Offender Advisory Commission; that part of Gaming Revenue Funds be distributed to the Juvenile Detention Facilities Fund; that these funds would be used for debt retirement and operational costs of facilities; that it is both a Federal and State mandate to get juveniles out of adult jails; that an annual appropriation of the Gaming Revenue Funds would be desirable.

Sen. Richard "Dick" Bond appeared as a proponent of HB 2011. Sen. Bond said in order to meet the Federal mandate, additional facilities must be built; that building should be done regionally; that counties should have interlocal agreements; that multiple counties must assume debt retirement; that several counties that have new facilities have been paying for them so to be fair, the State might help them with their operational costs;

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Judiciary,
room 313-S Statehouse, at 3:30 ~~am~~ p.m. on January 17, 1991

that use of 10% of the Gaming Revenue Funds was provided by legislation in 1986; that funds remaining after allocation to Juvenile Corrections go to the Department of Corrections.

Sen. Parrish noted good juvenile detention facilities are needed as some juveniles are as dangerous as adults.

A Committee member inquired if operational cost is restricted to physical plant or whether it could include programs. Sen. Parrish said both would be included.

A committee member asked if any thought had been given to consideration of larger distribution to poorer counties.

Ann Smith, Kansas Association of Counties, appeared in support of the HB 2011, generally, but does not give stamp of approval to any plans for juvenile detention facilities; that number, location, cost of construction and maintenance, travel costs, transporting juveniles, etc. of these facilities are concerns. Ms. Smith stated written testimony will be furnished and concerns included in the written testimony. (See Attachment # 3)

The meeting was adjourned at 4:30 P.M. The next meeting of the committee is scheduled for Thursday, January 22, 1991 at 3:30 p.m. in room 313-S (Old Supreme Court Room).

Conferees appearing before the committee:

Chuck Simmons, Dept. of Corrections General Counsel, HB 2011
Sen. Nancy Parrish, HB 2011
Sen. Richard "Dick" Bond, HB 2011
Ann Smith, Kansas Assn. of Counties, HB 2011

STATE OF KANSAS



DEPARTMENT OF CORRECTIONS

OFFICE OF THE SECRETARY

Landon State Office Building
900 S.W. Jackson—Suite 400-N
Topeka, Kansas 66612-1284
(913) 296-3317

Joan Finney
Governor

Steven J. Davies, Ph.D.
Secretary

TO: House Judiciary Committee

FROM: Steven J. Davies, Ph.D.
Secretary of Corrections

DATE: January 17, 1991

SUBJECT: House Bill No. 2011

A handwritten signature in black ink, appearing to read "Steven J. Davies", written diagonally across the "FROM:" field.

Section 1(a)(1) of House Bill No. 2011 would require that five percent (one-half of 10 percent) of the moneys credited to the State Gaming Revenues Fund be credited to the Juvenile Detention Facilities Fund for fiscal year 1992.

Currently, the full 10 percent amount of State Gaming Revenues Fund moneys is being credited to the Correctional Institutions Building Fund (CIBF) and is being used to finance capital improvements at the state correctional facilities. The impact of House Bill No. 2011 would be to reduce by half the amount of State Gaming Revenues Fund moneys credited to the CIBF, thereby reducing the amount of resources available to finance capital improvement projects at the state correctional facilities in fiscal year 1992. Until the Governor's budget recommendations become available, which will include estimated receipts and recommended expenditures for fiscal year 1992, it is not possible to provide an official estimate of what this reduction in receipts and the impact on the CIBF will be.

It is the Department's understanding that section 1(c) of the bill is a technical amendment to abolish the Juvenile Detention Facilities Capital Improvements Fund, which is duplicative of the Juvenile Detention Facilities Fund.

While the Department of Corrections certainly supports the concept of increased funding for juvenile detention facilities, it is not in favor of providing this increased funding by reducing the amount of resources available in the Correctional Institutions Building Fund. This would reduce the funding for capital improvement projects at the correctional facilities or would require that State General Fund financing be provided to offset the loss in CIBF receipts.

SJD:DW/dj

HJD
1/17/91
Attachment # 1

TO: HOUSE JUDICIARY COMMITTEE

RE: H.B. 2011 RELATING TO THE
JUVENILE DETENTION FACILITIES FUND

FROM: THE ADVISORY COMMITTEE ON
JUVENILE OFFENDER PROGRAMS

	H.B. 3021	H.B. 3021 & S.B. 770	H.B. 2011	
Annual Income (Legislative Research est)	\$560,000	\$828,000	\$1,908,000	
Average Annual Net Debt Retirement	at 50% state participation level			
REGION	FACILITY			
Northeast (Douglas)	Det/14	\$76,421	\$76,421	\$76,421
Southeast (Crawford)	Det/14	\$78,448	\$78,448	\$78,448
North Central(east) (?)	Det/7	\$49,155	\$49,155	\$49,155
North Central(west) (Saline)	Renov	\$40,000	\$40,000	\$40,000
South Central (Reno)	Exist	\$40,000	\$40,000	\$40,000
Northwest (Trego)	Det/7	\$49,155	\$49,155	\$49,155
Southwest (Finney)	Det/14	\$76,421	\$76,421	\$76,421
Total Debt Retirement	\$409,600	\$409,600	\$409,600	
Balance for Operations	\$150,400	\$418,400	\$1,498,400	

	% Juvenile Population			
Johnson County	0.1212	\$18,228	\$50,710	\$181,606
Sedgwick County	0.1581	\$23,778	\$66,149	\$236,897
Shawnee County	0.0654	\$9,836	\$27,363	\$97,995
Wyandotte County	0.0788	\$11,852	\$32,970	\$118,074
Rural Planning Regions:				
Northeast	0.1241	\$18,665	\$51,923	\$185,951
Southeast	0.0849	\$12,769	\$35,522	\$127,214
North Central(East)	0.0795	\$11,957	\$33,263	\$119,123
North Central(West)	0.0372	\$5,595	\$15,564	\$55,740
South Central	0.1206	\$18,138	\$50,459	\$180,707
Northwest	0.072	\$10,829	\$30,125	\$107,885
Southwest	0.0582	\$8,753	\$24,351	\$87,207

HJUD
1/17/91
Attachment # 2. - 1

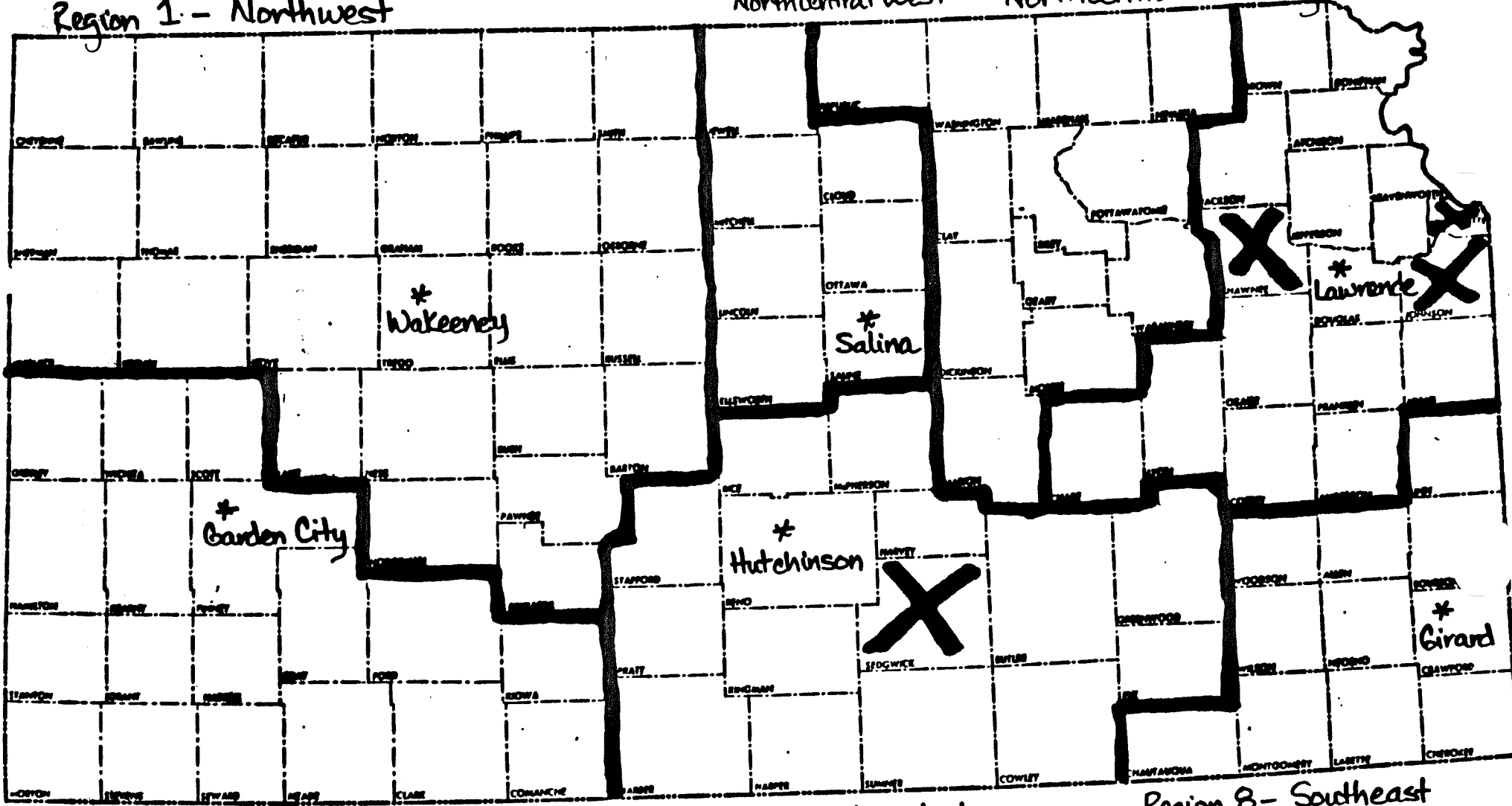
Region Recommendations

Region 1 - Northwest

Region 3 - Northcentral West

Region 3A - Northcentral East

Region 4 - Northeast



STATE HIGHWAY COMMISSION OF KANSAS
DEPARTMENT OF PLANNING AND DEVELOPMENT

Region 2 - Southwest

Region 5 - Southcentral

Region 8 - Southeast



"Service to County Government"

212 S.W. 7th Street
Topeka, Kansas 66603
(913) 233-2271
FAX (913) 233-4830

EXECUTIVE BOARD

President

Marjory Scheufler
Edwards County Commissioner
R.R. 1, Box 76
Belpre, KS 67519
(316) 995-3973

Vice-President

Marion Cox
Wabaunsee County Sheriff
Wabaunsee County Courthouse
Alma, KS 66401
(913) 765-3303

Past President

Winifred Kingman
Shawnee County Commissioner
(913) 291-4040
(913) 272-8948

Thomas "Tom" Pickford, P.E.
Shawnee County Engineer
(913) 266-0192

Murray Nolle
Johnson County Commissioner
(913) 791-5501

DIRECTORS

Leonard "Bud" Archer
Phillips County Commissioner
(913) 689-4685

George Burrows
Stevens County Commissioner
(316) 593-4534

John Delmont
Cherokee County Commissioner
(316) 848-3717

Berneice "Bonnie" Gilmore
Wichita County Clerk
(316) 375-2731

Betty McBride
Cherokee County Treasurer
(316) 429-3848

Roy Patton
Harvey County Weed Director
(316) 283-1890

Gary Post
Seward County Appraiser
(316) 624-0211

Nancy Prawl
Brown County Register of Deeds
(913) 742-3741

Vernon Wendelken
Clay County Commissioner
(913) 461-5694

NACo Representative

Keith Devenney
Geary County Commissioner
(913) 238-7894

Executive Director

John T. Torbert

February 17, 1991

To: House Judiciary Committee
Chairman John Solbach

From: Anne Smith
Director of Legislation

Re: HB 2011

The Kansas Association of Counties would like to go on record as supporting HB 2011. We support any legislation that provides revenue for funding juvenile detention facilities.

However, KAC's support of this bill is not to be construed as full agreement with all aspects of the proposed plan for building the regional detention facilities.

There are still concerns about the number of facilities, the location of the facilities, and the cost of the construction and maintenance of the proposed facilities.

The KAC strongly believes the removal of juveniles from adult jails has reached a critical point. We are eager to work towards a satisfactory resolution of this issue.

Thank you for the opportunity to address these concerns.

*HSJUS
Attachment #3
1/17/91*