

Approved: CW 9/5  
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Chairperson Senator Wint Winter Jr. at  
10:05 a.m. on March 30, 1992 in room 514-S of the Capitol.

All members were present except:  
Senators Yost, Kerr and Parrish who were excused.

Committee staff present:  
Mike Heim, Legislative Research Department  
Gordon Self, Office of Revisor of Statutes  
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:  
Randy Tongier, Legislative Division of Post Audit  
Randy Hearrell, Judicial Council  
Sydney Hardman, Kansas Action for Children  
Doug Bowman, Children and Youth Advisory Committee

Chairman Winter called the meeting to order by opening the hearing for SB 774.  
SB 774 - Judicial Council, subsistence allowances for meeting if travel expenses incurred.

Randy Tongier, Legislative Division of Post Audit Financial Compliance Auditor gave background information on audit work of the Judicial Council (Compliance and Control Audit of The Judicial Council). They had recommended introduction of SB 744 as a review of the compensation statute for that agency. He added that the Judicial Council situation differs from most boards, commissions and councils that Post Audit is aware of because it provides for subsistence payments for persons not travelling.

Randy Hearrell, Judicial Council, reviewed the history of the existing statutes. He stated that the initial statute was implemented at a time when efforts were being made to professionalize the legislature. He added the Department of Administration policy manual sets uniform regulations for payment of subsistence allowances and mileage; individuals from Topeka no longer receive those payments. He concluded by stating that non-legislators do not receive per diem payments.

This concluded the hearing on SB 744.

Senator Rock moved to recommend SB 774 favorable for passage. Senator Morris seconded the motion. The motion failed. No further action was taken.

The Committee turned its attention to HB 2987.

HB 2987 - creating the Kansas citizen review board and local citizen review board to review child in need of care cases.

Sydney Hardman, Kansas Action for Children, discussed in detail the amendments she offered at an earlier date (see attachment 9 of March 26, 1992). She expressed her preference for the Supreme Court to administer HB 2987 rather than the Children and Youth Advisory Committee (CYA) because of CYA's dependence on SRS support personnel under the current structure.

Doug Bowman, Children and Youth Advisory Committee, expressed their support of HB 2987. He stated they did not have the mechanisms or staff available to administer the program as they rely solely on SRS for administrative support. He supported contracting for services as suggested by Ms. Hardman.

Detailed discussion followed on the best way to limit administrative costs and involvement. It was noted that cooperation of the judicial branch would be critical for the success of any program instituted, but the courts would resist a full mandate.

Senator Feleciano moved to amend HB 2987 to provide Children and Youth Advisory Committee administrative responsibility with a separate fund; to give optional authority for CYA to add up to 1.5 positions and/or contract for services; and continue CYA recommendations on permanency planning for awarding of grants. Senator Oleen seconded the motion. The motion to amend carried.

The Committee consensus of the intent of this action was to extend the authority of CYA to have the ability to issue checks, etc. They further added that if more fiscal authority was required, they wanted CYA to have it.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,  
room 514-S, Statehouse, at 10:05 a.m. on March 30, 1992.

Senator Bond moved to amend HB 2987 by adopting the new section 1 proposed in the balloon offered by Ms. Hardman, making the measure optional. Senator Rock seconded the motion. The motion to amend carried.

Senator Feleciano moved to amend HB 2987 by adopting the balloon proposals on surcharge measures and setting fees. Senator Bond seconded the motion. The motion to amend carried.

Senator Feleciano moved to recommend HB 2987 favorable as amended. Senator Morris seconded the motion. The motion carried.

The Committee turned its attention to HB 2690.

HB 2690 - establishment of Joint Committee on Children and Families.

Following discussion by the Committee, Senator Feleciano moved to recommend HB 2690 favorable for passage. Senator Martin seconded the motion. The motion carried.

HB 2691 - family court system pilot projects.

Committee members discussed the problems of increased time, case loads and funding in implementing an entire family court system statewide. Further discussion followed with no action taken at this time.

The meeting was adjourned at 11:00 a.m.

