

Approved: May 4, 2001  
(Date)

## MINUTES OF THE HOUSE ETHICS AND ELECTIONS.

The meeting was called to order by Chairman Tony Powell at 2:10 p.m. on May 4, 2001 in Room 521-S of the Capitol.

All members were present except: Representative Cindy Hermes  
Representative Carlos Mayans  
Representative Jim Morrison  
Representative John Toplikar  
Representative Troy Findley

Committee staff present: Dennis Hodgins, Legislative Research  
Theresa Kiernan, Revisor's Office

Conferees appearing before the Committee: None

Chairman Tony Powell announced that SB 9 which was assigned to this Committee, would be a "gut and go" with provisions of increasing the membership of the Joint Committee on Corrections and Juvenile Justice Oversight, inserted as a substitute bill. **(Attachment 1)**

Representative Wilson made a motion to approve the amendment to SB 9. Representative Huebert seconded the motion. The motion carried.

Representative Alldritt made a motion to recommend the substitute for SB 9 favorably for passage. Representative Powers seconded the motion.

Chairman Powell adjourned the Committee at 2:18 p.m.

*Minutes were approved by Committee members OK  
in the House Chambers on May 04, 2001.*

## HOUSE Substitute for SENATE BILL NO. 9

By Committee on Ethics and Elections

AN ACT concerning the joint committee on corrections and juvenile justice oversight; relating to the membership thereof; amending K.S.A. 46-2801 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 46-2801 is hereby amended to read as follows: 46-2801. (a) There is hereby created the joint committee on corrections and juvenile justice oversight which shall be within the legislative branch of state government and which shall be composed of no more than ~~seven~~ nine members of the senate and ~~seven~~ nine members of the house of representatives.

(b) The ~~senate~~ members from the senate shall be appointed by the president and the minority leader. The two major political parties shall have proportional representation on such committee. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding .5 shall receive representation as though such fraction were a whole number.

(c) The ~~seven-representative~~ nine members from the house of representatives shall be appointed as follows:

(1) Two members shall be members of the majority party who are members of the house committee on appropriations and shall be appointed by the speaker;

(2) two members shall be members of the minority party who are members of the house committee on appropriations and shall be appointed by the minority leader;

(3) two members shall be members of the majority party who are members of the house committee on judiciary and shall be appointed by the speaker; and

(4) one member shall be a member of the minority party who is a member of the house committee on judiciary and shall be appointed by the minority leader;

(5) one member shall be a member of the majority party who is a member of any committee not specified in paragraphs (1) through (4) and shall be appointed by the speaker; and

(6) one member shall be a member of the ~~majority~~ minority party who

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is a member of any committee not specified in paragraphs (1) through (4) and shall be appointed by the minority leader.

(d) Any vacancy in the membership of the joint committee on corrections and juvenile justice oversight shall be filled by appointment in the manner prescribed by this section for the original appointment.

(e) All members of the joint committee on corrections and juvenile justice oversight shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. The joint committee shall organize annually and elect a chairperson and vice-chairperson in accordance with this subsection. During calendar years 1997 and 1999, the chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the senate members elected by the members of the joint committee. During calendar year 1998, the chairperson shall be one of the senate members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of chairperson or vice-chairperson, a member of the joint committee, who is a member of the same house as the member who vacated the office, shall be elected by the members of the joint committee to fill such vacancy. Within 30 days after the effective date of this act, the joint committee shall organize and elect a chairperson and a vice-chairperson in accordance with the provisions of this act.

(f) A quorum of the joint committee on corrections and juvenile justice oversight shall be ~~eight~~ 10. All actions of the joint committee shall be by motion adopted by a majority of those present when there is a quorum.

(g) The joint committee on corrections and juvenile justice oversight may meet at any time and at any place within the state

on the call of the chairperson, vice-chairperson and ranking minority member of the house of representatives when the chairperson is a representative or of the senate when the chairperson is a senator.

(h) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the joint committee on corrections and juvenile justice oversight to the extent that the same do not conflict with the specific provisions of this act applicable to the joint committee.

(i) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on corrections and juvenile justice oversight.

(j) The joint committee on corrections and juvenile justice oversight may introduce such legislation as it deems necessary in performing its functions.

(k) In addition to other powers and duties authorized or prescribed by law or by the legislative coordinating council, the joint committee on corrections and juvenile justice oversight shall:

(1) Monitor the inmate population and review and study the programs, activities and plans of the department of corrections regarding the duties of the department of corrections that are prescribed by statute, including the implementation of expansion projects, the operation of correctional, food service and other programs for inmates, community corrections, parole and the condition and operation of the correctional institutions and other facilities under the control and supervision of the department of corrections;

(2) monitor the establishment of the juvenile justice authority and review and study the programs, activities and plans of the juvenile justice authority regarding the duties of the juvenile justice authority that are prescribed by statute, including the responsibility for the care, custody, control and

rehabilitation of juvenile offenders and the condition and operation of the state juvenile correctional facilities under the control and supervision of the juvenile justice authority;

(3) review and study the adult correctional programs and activities and facilities of counties, cities and other local governmental entities, including the programs and activities of private entities operating community correctional programs and facilities and the condition and operation of jails and other local governmental facilities for the incarceration of adult offenders;

(4) review and study the juvenile offender programs and activities and facilities of counties, cities, school districts and other local governmental entities, including programs for the reduction and prevention of juvenile crime and delinquency, the programs and activities of private entities operating community juvenile programs and facilities and the condition and operation of local governmental residential or custodial facilities for the care, treatment or training of juvenile offenders;

(5) study the progress and results of the transition of powers, duties and functions from the department of social and rehabilitation services, office of judicial administration and department of corrections to the juvenile justice authority; and

(6) make an annual report to the legislative coordinating council as provided in K.S.A. 46-1207, and amendments thereto, and such special reports to committees of the house of representatives and senate as are deemed appropriate by the joint committee.

(1) The provisions of this section shall expire on December 31, 2003.

Sec. 2. K.S.A. 46-2801 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.