

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman William Mason at 1:30 p.m. on March 17, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative Becky Hutchins- excused
Representative Joann Freeborn- excused
Representative Ralph Ostmeyer- excused

Committee staff present:

Russell Mills, Legislative Research Department
Mary Torrence, Revisor of Statutes Office
Dennis Hodgins, Legislative Research Department
Rose Marie Glatt, Secretary

Conferees appearing before the committee:

Ron Paschal, Sedgwick County District Attorney
James Frazier, Deputy Commissioner of Operations, Juvenile Justice Authority
Corey Peterson, Executive Vice President, Association of General Contractors
Jerry Jones, Coordinator for Plumbers, & Pipefitters, Local Union 441

Others attending:

See Attached List

Representative Williams moved that the minutes of the Federal and State Affairs meetings on January 28, 29, February 9, 12, 16, 17, 18, 19, 23, 24, March 3 be approved. Representative Rehorn seconded the motion and the motion carried.

HB 2885 - Limit on good time credit for juvenile offenders

Ron Paschal, Sedgwick County District Attorney, rose in support of **HB 2885**, stating that the bill would bring consistency to the juvenile sentencing process and limit the amount of good time credit a juvenile offender may receive to 15% (Attachment 1). This would instill within the judicial sentencing process the concepts of "truth in sentencing" and "fairness to victims".

He cited an incident where an offender served less than half of his sentence for murder due to good time credit. As the law currently stands, the commissioner may completely usurp the intent of the sentencing court and manipulate the offender's release date. In some instances it is in society's best interest to incapacitate juvenile offenders until they are more mature. In conclusion, he urged the passage **HB 2885**. In response to a question about the fiscal note, he stated that he had not reviewed the note.

James D. Frazier, Deputy Commissioner of Operations, Juvenile Justice Authority, stated that **HB 2885** would cause an increase in offender population in the juvenile correctional facilities, thus would require the acquisition of new additional beds resulting in the expense of building or leasing new bed space (Attachment 2). The most recent costs are \$143,000 for a new juvenile bed or \$47,000 to add a bed to an existing facility.

He stated there is similar language in **HB 2862** that is more appropriate and consistent with the Kansas Juvenile Justice Authority mission. They supported the setting of allowable good time credit to 15%, if such provision is applicable to all offenders sentenced to a juvenile correctional facility.

Discussion followed regarding the frequency in which inflated percentages are given for good time credit. Commissioner Frazier responded that the average good time credit is between 0 - 48%, which is determined case by case. Discussion centered around the fiscal note, Commissioner Frazier stated that their facilities are currently overcrowded, so it would take new facilities or new beds to accommodate new juvenile offenders. When asked if there were plans to add on or build new facilities, he responded that there is an existing new facility however it is not scheduled to open until 2005.

CONTINUATION SHEET

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE at 1:30 p.m. on March 17, 2004 in Room 313-S of the Capitol.

The Chairman closed the hearing on **HB 2885**.

HB 2895 - Terms of members of Kansas Apprenticeship Council

Ms. Torrence explained that the bill provided that when current members terms expired on February 29, 2004, the new terms beginning March 1, 2004 would be staggered so that not all members would turn over at the same time. The members whose terms would have expired February 29 under this act are being held over awaiting the outcome of the bill.

Corey Peterson, Executive Vice President, Associated General Contractors, stated that the Council has voted unanimously to amend current law to reflect staggered terms (Attachment 3). **HB 2895** would ensure that there would be consistency of institutional knowledge due to staggered four year terms.

Jerry Jones, Coordinator for Plumbers, & Pipefitters, Local Union 441, spoke as a representative of labor and offered their full support of the **HB 2895** (Attachment 4). He stated that it was their opinion that to stagger the terms of Council members is in the best interest of the Council and the welfare of apprentices in Kansas.

The Chairman closed the hearing on **HB 2895**.

Discussion followed regarding the Department of Human Resources being split into other departments and whether there were any benefits in changing that designated department in the bill.

Representative Rehorn moved that they report HB 2895 out favorably and it be placed on the consent calendar. It was seconded by Representative Novascone. The motion carried.

The meeting was adjourned at 2:45 p.m. The next meeting is March 18, 2004.