

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Pat Colloton at 1:30 p.m. on February 17, 2009, in Room 535-N of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Jackie Lunn, Committee Assistant

Conferees appearing before the committee:

Roger Werholtz, Secretary Department of Corrections
Kathy Porter, Judicial Administration

Others attending:

See attached list.

HB 2139 - Disposition of district court fines, penalties and forfeitures; percentage credited to department of corrections alcohol and drug abuse treatment fund.

Chairperson Colloton opened the hearing on **HB 2139** and explained the bill to the Committee. While doing so she referred to a handout of the table on "*Approximate Remittances of District Court Fines, Penalties, and Forefuters pursuant to KSA74-7336*". (Attachment 1) Upon the completion of her explanation she called on Secretary Roger Werholtz to give his testimony as a proponent of the bill. Secretary Werholtz provided written copy of his testimony (Attachment 2) and introduced Dennis Williams, Director of Finance for the Kansas Department of Corrections. Director Williams stated allocated fines, penalties and forfeitures collected by district courts go to various program funds including the Department of Corrections' alcohol and drug abuse treatment fund. The bill would increase the allocation from 2.01% to 6.3%. He also stated he was offering an amendment to raise 6.3% to 7.75% and urged the Committee to pass the bill our favorably as amended.

A question and answer session followed.

Chairperson Colloton introduced Kathy Porter, Judicial Administration, to give her testimony as a neutral party of **HB 2139**. Ms. Porter provided written copy of her testimony. (Attachment 3) She stated she was a neutral party to the bill and her purpose for testifying is to make the Committee aware of the fiscal note and reviewed that for the Committee. In closing, she stated under the provisions of this bill, the State General Fund would receive approximately \$887,541 less in FY 2010.

A short discussion followed.

Being no others wishing to testify, Chairperson Colloton closed the hearing on **HB 2139**.

Chairperson Colloton inquired if the Committee would like to work **HB 2139** at this time. **Representative McCray Miller recommended the Committee add the following amendments to the bill: change the language on line 4, Section 1 changing 6.3% to 7.01% and strike sections 8 and 9. Representative Frownfelter seconded the motion.**

A discussion followed.

Representative Patton made a substitute motion for a substitute amendment which included the changes of Representative McCray-Miller and an amendment that would take \$200,000 out of the Crime Victims Fund and have it go to the KBI Lab. Representative Brookens seconded.

Representative Patton explained his amendment and the reasons for his request. A discussion followed.

CONTINUATION SHEET

Minutes of the House Corrections And Juvenile Justice Committee at 1:30 p.m. on February 17, 2009, in Room 535-N of the Capitol.

Chairperson Colloton called for a vote on the substitute amendment of Representative Patton. Motion failed by show of hands.

Chairperson Colloton called the Committee's attention back to the original motion on the floor.

A lengthy discussion followed.

Chairperson Colloton called for a vote on the McCray-Miller motion on the floor. Motion carried by show of hands.

Representative Frownfelter made a motion to pass HB 2139 out favorably as amended Representative Kinzer seconded. Motion carried by show of hands.

HB 2165 - Establishing recklessness as a standard in unlawfully hosting minors in a person's residence.

Chairperson Colloton called the Committee's attention to **HB 2165** for passage.

Representative Patton made a motion to pass the bill out favorably with his amendment. Representative Dillmore seconded.

Representative Patton provided written copy of his amendment (Attachment 4) and explained the amendment to the Committee. A lengthy discussion followed.

Chairperson Colloton called for a vote of the motion on the floor to pass the bill out favorably as amended. Motion carried.

Chairperson Colloton adjourned the meeting at 2:50 p.m. with the next meeting scheduled for February 18, 2009 at 1:30 p.m. in room 535 N.