

SESSION OF 2008

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 590**

As Amended by Senate Committee of the Whole

**Brief\***

SB 590, as amended, would require the Kansas Criminal Justice Coordinating Council (Council) to create the Substance Abuse Policy Board (Board) to consult and advise the Council on issues and policies pertaining to the treatment, sentencing, rehabilitation and supervision of substance abuse offenders. The Board also would be required to study driving under the influence and the use of drug courts by other states.

Members of the Board would include:

- The Secretary of the Kansas Department of Corrections (KDOC);
- The Commissioner of Juvenile Justice Authority (JJA);
- The Secretary of Social and Rehabilitation Services (SRS);
- The Director of the Kansas Bureau of Investigation (KBI);
- The Chief Justice of the Supreme Court or designee;
- A member of the Kansas Sentencing Commission;
- A member of the Kansas County and District Attorney's Association;
- An addiction counselor appointed by the Kansas Association of Addiction Professionals; and
- A professional program administrator appointed by the Kansas Association of Addiction Professionals.

The Board would elect a chairperson from its members and would meet upon the call of the chairperson. Each member of the Board would serve for two years and would be

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

eligible for reappointment. The bill would allow the public members to receive compensation in the same amount as legislators. However, no per diem compensation would be paid to salaried state, county, or city employees.

The Board would be required to submit its reports to the Council, the Governor, the Attorney General, the Chief Justice of the Supreme Court, the Chief Clerk of the House of Representatives, and the Secretary of the Senate.

The bill also would extend the sunset provision on the Sex Offender Policy Board from June 30, 2008 to June 30, 2011.

## **Background**

The proponents of the bill that testified in the Senate Committee on Judiciary hearing were Senator Phillip Journey; Stuart Little, Kansas Association of Addiction Professionals; and Barbara Burks, Johnson County Mental Health Center. Roger Werholtz, Secretary of the KDOC and Don Jordan, Secretary of the SRS provided written testimony in support of the bill.

There was no testimony in opposition to the bill during the hearing in the Senate Committee on Judiciary.

The Senate Committee on Judiciary amended the bill to add a member of the Kansas Sentencing Commission (KSC) and a member of the Kansas County and District Attorney's Association (KCDA) to the Board. The amendments were at the request of KSC and KCDA.

The Senate Committee of the Whole amended the bill by extending the sunset provision on the Sex Offender Policy Board from June 30, 2008 to June 30, 2011.

The fiscal note states that the Governor's Federal and Other Grants Office currently staffs the Kansas Criminal Justice Coordinating Council. Therefore, the Office assumes it would

staff the newly created Substance Abuse Policy Board. The Office indicates it would use existing staff to support the Board with agendas, minutes, and other reporting and research required by the bill. However, the Office would require an additional \$3,200 for FY 2009 from the State General Fund for related office supplies to support the Board.

The bill would allow the two appointed Board members to receive compensation, subsistence allowances, mileage, and other allowable expenditures. If the two members are not salaried state, county, or city employees and the Board meets four times a year, then the two members would collectively receive \$1,581, also from the State General Fund (\$88.60 per diem compensation + \$109 for subsistence X 2 members X 4 meetings per year), based on the same reimbursement rates that legislators receive.

Finally, according to the JJA, SRS, KDOC, and the KBI, passage of SB 590, as introduced, could require additional staff time to assist in data collection and research that may be needed for the Substance Abuse Policy Board. However, the additional staff time would be absorbed within existing resources. Any fiscal effect associated with enactment of SB 590 would be in addition to amounts included in *The FY 2009 Governor's Budget Report*.