

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Stephen Morris at 10:37 a.m. on January 29, 2004, in Room 123-S of the Capitol.

All members were present except:
Senator David Adkins- excused

Committee staff present:
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Susan Kannarr, Kansas Legislative Research Department
Jill Wolters, Senior Assistant, Revisor of Statutes
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee:
Chris Clarke, Supervising Auditor, Legislative Division of Post Audit
Randy Hearrell, Executive Director, Kansas Judicial Council
Pat Scalia, Executive Director, State Board of Indigents' Defense Services

Others attending:
See Attached List.

Chairman Morris welcomed Chris Clarke, Supervising Auditor, Legislative Division of Post Audit, who presented findings of the following audit to the committee:

Costs Incurred for Death Penalty Cases: A K-GOAL Audit of the Department of Corrections

Copies of the audit findings are on file with the Kansas Legislative Research Department. Ms. Clarke mentioned that the audit addressed the following two questions:

- Question 1: How Does the Cost of Death Penalty Cases in Kansas Compare With the Costs of Cases Involving Non-Death Sentences?
- Question 2: Are There Steps Kansas Could Take To Reduce Overall Costs in a Capital Punishment Case?

The Chairman welcomed Randy Hearrell, Executive Director, Kansas Judicial Council, who presented information on the Report of the Judicial Council Death Penalty Advisory Committee - approval by the Judicial Council pending (Attachment 1).

Chairman Morris welcomed Pat Scalia, Executive Director, State Board of Indigents' Services, who provided information regarding what action is possible to hold costs while at all times providing effective assistance of counsel (Attachment 2). She noted that as both reports advise, there is a limit to what can be done to contract costs and still provide defense that will pass constitutional muster.

There was committee discussion.

The meeting adjourned at 11:40 a.m. The next meeting is scheduled for February 2, 2004.