

MINUTES OF THE House COMMITTEE ON Ways and Means

The meeting was called to order by Bill Bunten at  
Chairperson

8:00 a.m./p.m. on Friday, March 8, 1985 in room 514-S of the Capitol.

All members were present except: Representatives Louis and Fuller (both excused)

Committee staff present: Gloria Timmer - Legislative Research  
Ray Hauke - Legislative Research  
Jim Wilson - Office of the Revisor  
Sharon Schwartz - Administrative Aide  
Nadine Young - Committee Secretary

Conferees appearing before the committee: None  
Others present (Attachment I)

Chairman Bunten called the meeting to order at 8:00 a.m.

HB 2088, DEPARTMENT OF CORRECTIONS  
Representative Teagarden presented the FY 85 subcommittee report (Attachment II). Subcommittee deleted \$40,000 from the Community Services program and \$340,750 from the Community Corrections program. Representative Teagarden moved for adoption of the report. Representative Miller seconded. Motion carried.

Chairman turned to reconsideration of the amendment that was made in the D.I.S.C. Special Joint Subcommittee report on March 4, to finance the telecommunications portion, approximately \$4.6 million, with current dollars rather than utilize Certificates of Participation.

Representative Chronister made a motion that the committee reconsider the action that was taken as described in above paragraph. Representative Shriver seconded. Motion carried.

Representative Rolfs made a substitute motion that language be inserted that would direct Department of Administration to come up with a proposal in the future to finance the telecommunications system on a cash basis when resources are more adequate and specifically direct DOA not to utilize Certificates of Participation. Representative Miller seconded.

As further clarification of what the telecommunications system would entail, Representative Chronister explained that the system would cover primarily four areas as follows:

- (1) New switching equipment (owned by the State).
- (2) Data links (cabling) between buildings.
- (3) Rewiring...to be done on a contract basis.
- (4) New modular telephone sets that could be moved by any employee (to be owned by the State).

Chairman Bunten urged the committee once again to reconsider giving Department of Administration the authority and flexibility to have the capacity to use other methods of financing this system, other than paying cash.

A vote was taken on Representative Rolf's motion. Division was called for. The votes were seven (7) in favor and eight (8) opposed. The motion failed.

Representative Chronister offered a motion to remove that portion of the Minority Report concerning finance that was previously adopted by the Committee. This will allow Department of Administration to go ahead and finance the implementation of the telecommunications program, using Certificates of Participation or similar commercial financing. Representative Shriver seconded. A vote was taken and division was called for. The vote resulted in nine (9) in favor and eight (8) opposed. The motion carried.

Representative Duncan offered a motion to delete Item 1 under Information Systems of the D.I.S.C. special report, on the basis that Items 1 and 3 are in conflict. Representative Rolfs seconded.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

## CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,room 514-S, Statehouse, at 8:00 a.m./~~p.m.~~ on Friday, March 8, 1985

Representative Shriver offered a substitute motion to adopt the Majority Report on Information Systems. Representative Luzzati seconded. Chairman ruled the motion out of order.

Representative Luzzati offered a substitute motion to delete all of paragraph 3 of the D.I.S.C. Report, except for the first sentence. Representative Helgerson seconded. Representative Hamm opposed the motion on the basis that Paragraph 3 merely expresses the views of the subcommittee and is not binding.

Representative Solbach offered a friendly amendment to the motion, specifying that the first two sentences of Paragraph 3 would remain in the report. Representative Luzzati concurred.

Representative Chronister offered a suggestion that instead of removing the last two sentences of Paragraph 3 or removing all of Paragraph 1, and if the substitute motion fails, that we add the words "on the basis of the proposals presented at this time, the subcommittee endorses the proposal of D.I.S.C. to phase out Sperry-Univac system" to the number 1 sentence. She further stated that this should end the conflict between Paragraphs 3 and 1. She told the committee that this is certainly what the full subcommittee intended.

A vote was taken on Representative Luzzati's substitute motion and the motion failed.

Turning back to the original motion offered by Representative Duncan, Representative Shriver was recognized and he recommended that Representative Duncan's motion be voted down and that this committee should go ahead and move out the report, rather than prolong this matter with continuing substitute motions.

Representative Duncan said he had no problem with the Chairman's advice to place our confidence in the D.I.S.C. report, but that he would like that to be in a completely neutral environment and without prejudice.

A vote was taken on the motion to delete all of Item 1 under Information Systems of the D.I.S.C. special report. The motion failed.

Representative Chronister moved that the Joint Subcommittee Report on D.I.S.C. be accepted. Representative Shriver seconded. Motion carried.

Committee turned their attention to HB 2088, DEPARTMENT OF CORRECTIONS FY 86 Subcommittee Report (Attachment III).

Representative Luzzati presented a Minority Report, which concurs with the subcommittee recommendations with the exception of deletion of community corrections funds for Johnson County. Representative Solbach concurred with the Minority Report. He then offered a motion to delete Item 13 from the subcommittee report, reinstating the \$1,492,667 for grants to counties. It was seconded by Representative Wisdom. Representative Shriver asked the subcommittee if they would agree to making an adjustment, rather than delete Item 13, to the effect that with Finance Council approval, the state go ahead and fund these community corrections programs as they come on board. Representative Miller responded by saying if they were truly ready by April 1, 1986, they could probably be handled in a supplemental.

A vote was taken on Representative Solbach's motion to delete Item 13. The motion failed.

Representative Shriver offered a motion to add language, "however the Legislature would be willing to consider supplemental appropriations in the FY 86 session." Representative Hoy seconded. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,  
room 514-S, Statehouse, at 8:00 a.m./~~p.m.~~ on Friday, March 8, 19 85

Representative Miller moved that the Department of Corrections FY 86 sub-committee report, as amended, be adopted. Representative Teagarden seconded.

Representative Luzzati made a substitute motion to adopt the Minority Report. It was seconded by Representative Solbach. Motion failed.

A vote was taken on the motion to adopt the subcommittee report, as amended. Motion carried.

Representative Miller called the committee's attention to an additional item that needs to be addressed relative to HB 2088, before moving the bill out. Committee did not make adjustment to the capital improvements in accord with the recommendations of the Building Committee. They are as follows:

- Department of Corrections.....deletion of \$48,360
- Kansas State Industrial Reformatory.....deletion of \$132,954
- Kansas State Penitentiary.....deletion of \$378,600

Finally, hazardous duty pay for all institutions had been taken out and sub-committee inadvertently overlooked it at the Kansas Correctional Institution for Lansing, which would be a reduction of \$12,744.

With that, Representative Miller moved to further amend HB 2088 to include these four items. Representative Teagarden seconded. Motion carried. Representative Miller then moved that HB 2088, as amended, be reported favorable for passage. It was seconded by Representative Teagarden. Motion carried.

Meeting adjourned at 9:30 a.m.

Date 3-8-85

Name \_\_\_\_\_

Address \_\_\_\_\_

Representing \_\_\_\_\_

Dick Davis

Topeka

DOC

L. Schult

"

DOC

Bar Haldinger

Cleveland Park

F.W.O.K.  
K.C.H.

Paul R. D.

Lawka

Omlundman

Michael A. Barbra

DOC

SUBCOMMITTEE REPORT

Agency: Department of Corrections Bill No. -- Bill Sec. --

Analyst: Conroy Analysis Pg. No. 309 Budget Pg. No. 4-27

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 12,787,658	\$ 12,653,804	\$ (40,000)
Aid to Local Units	4,386,275	3,626,575	(340,750)
Subtotal	<u>\$ 17,173,933</u>	<u>\$ 16,280,379</u>	<u>\$ (380,750)</u>
Capital Improvements	1,442,637	1,420,706	--
<b>TOTAL</b>	<u><u>\$ 18,616,570</u></u>	<u><u>\$ 17,701,085</u></u>	<u><u>\$ (380,750)</u></u>
<b>State General Fund:</b>			
State Operations	\$ 8,838,585	\$ 8,704,731	\$ (40,000)
Aid to Local Units	4,386,275	3,626,575	(340,750)
Subtotal	<u>\$ 13,224,860</u>	<u>\$ 12,331,306</u>	<u>\$ (380,750)</u>
Capital Improvements	1,442,637	1,321,664	--
<b>TOTAL</b>	<u><u>\$ 14,667,497</u></u>	<u><u>\$ 13,652,970</u></u>	<u><u>\$ (380,750)</u></u>
F.T.E. Positions	309.8	309.8	--

Agency Request/Governor's Recommendation

The agency's revised operating budget of \$17,173,933 is \$342 less than the approved amount. However, the agency has shifted funds within object codes to reflect a more current plan of expenditure.

The Governor's recommendation of \$16,280,379 for the operating budget makes several reductions below the agency's revised estimate. The Governor recommends reductions of \$133,854 for operating expenditures and \$759,700 for aid to local units (community corrections), both below the agency's revised estimate.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$40,000 from the Community Services program based on lower than estimated expenditures.
2. Delete \$340,750 from the Community Corrections program based on lower than estimated expenditures. The savings are a result of another quarter delay in Johnson County reentering the program; a four month delay in Montgomery County entering the program; elimination of the planning funds for Cherokee, Labette and Crawford counties; and additional savings due to increased chargebacks to participating counties.

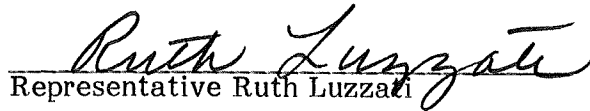
3/8/85 II

3. The Subcommittee recommends that all identified savings in the current year be reappropriated for FY 1986.



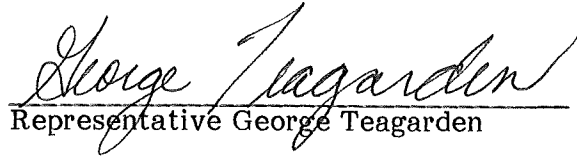
---

Representative David Miller  
Subcommittee Chairman



---

Representative Ruth Luzzati



---

Representative George Teagarden

SUBCOMMITTEE REPORT

Agency: Department of Corrections Bill No. 2088 Bill Sec. 5  
 Analyst: Conroy Analysis Pg. No. 309 Budget Pg. No. 4-27

<u>Expenditure Summary</u>	<u>Agency Req. FY 86</u>	<u>Governor's Rec. FY 86</u>	<u>Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 15,426,875	\$ 13,425,919	\$ 6,071
Aid to Local Units	5,418,087	5,119,242	(1,492,667)
Subtotal	<u>\$ 20,844,962</u>	<u>\$ 18,545,161</u>	<u>\$ (1,486,596)</u>
Capital Improvements	2,302,586	633,360	—
<b>TOTAL</b>	<u><u>\$ 23,147,548</u></u>	<u><u>\$ 19,178,521</u></u>	<u><u>\$ (1,486,596)</u></u>
<b>State General Fund:</b>			
State Operations	\$ 11,025,393	\$ 9,048,887	\$ 6,071
Aid to Local Units	5,418,087	5,119,242	(1,492,667)
Subtotal	<u>\$ 16,443,480</u>	<u>\$ 14,168,129</u>	<u>\$ (1,486,596)</u>
Capital Improvements	2,302,586	633,360	—
<b>TOTAL</b>	<u><u>\$ 18,746,066</u></u>	<u><u>\$ 14,801,489</u></u>	<u><u>\$ (1,486,596)</u></u>
<b>F.T.E. Positions</b>	<b>363.8</b>	<b>323.8</b>	<b>(1.0)</b>

Agency Request/Governor's Recommendation

The agency's request of \$23,147,548, while maintaining the current level of operations, also provides for 54 new positions, expansion of the community corrections program, and opening of the 32-bed addition at the El Dorado Honor Camp. The agency's request includes \$2,302,586 for various capital improvement projects.

The Governor's recommendation of \$19,178,621 provides for continuation of the current level of operation and includes funds for 14 additional positions. New positions recommended include three for Correctional Industries, two for the Parole Supervision program, and nine for the Honor Camps program. The Governor also recommends the expansion of the community corrections program. The recommendation of the Governor includes \$633,360 for capital improvements.

House Subcommittee Recommendations

The House Subcommittee concurs with the Governor's recommendation with the following adjustments:

Fiscal Year 1986


1. Delete \$6,743 for communication, part of which is due to the reduction in the estimated KANS-A-N rates for the budget year.
2. Delete \$21,660 for a contracted medical systems efficiency analysis. The Subcommittee recommends that the Division of Post Audit conduct an audit of the medical services to gather the necessary information.

3/8/85 III

3. Add \$50,620 in light of the Rolf's policy on the purchase of data processing equipment. The funds would permit the agency to buy-out the remaining years on an existing lease-purchase agreement for an IBM System 36. The action will save an estimated \$12,757 in interest payments over the next four years.
4. Delete \$3,090 for hazardous duty pay for additional selected employees pending a final decision on the state pay plan revision. The Subcommittee urges the special pay plan subcommittee to review this issue of providing hazardous duty pay for certain correctional employees. The Subcommittee also recommends that once a decision is reached the Senate Subcommittee consider restoring the appropriate amount of funds, or if necessary the Subcommittee recommends the consideration of funding in the omnibus appropriation bill for all correctional institutions.
5. The Subcommittee strongly urges all state agencies consider purchasing new furniture or the refinishing of existing furniture by the Correctional Industries program. The Correctional Industries inmates do outstanding work and can provide the product at a substantial savings over other sources.
6. Add \$12,250 for establishment of a crisis intervention program for parolees. The funds will purchase temporary bedspace for technical parole violators in various halfway houses throughout the state. The Subcommittee believes this program will be cost effective rather than the reincarceration of a technical parole violator to a correctional institution.
7. Delete \$12,250 for professional health care services in the Pre-Release program based on lower than anticipated expenditures.
8. The Subcommittee strongly urges the agency to aggressively pursue federal Job Training Partnership Act (JTPA) funds which might be available for vocational/academic training of inmates. The Subcommittee requests that this agency take the lead in working with the Department of Human Resources and the Department of Education to explore the availability of JPTA funds.
9. Delete \$9,701 and one F.T.E. position for a Food Supervisor II position for the El Dorado Honor Camp. The Subcommittee recommends the existing staffing pattern could address the needs of the additional 32 inmates.
10. Delete \$7,280 at the honor camps for contracted college courses with the area community colleges.
11. Add \$5,320 for additional GED and college correspondence courses at the honor camps.
12. Delete \$1,395 for food costs at the honor camps based on lower than anticipated expenditures.
13. Delete \$1,492,667 from the Community corrections program for grants to counties. The reduction will freeze the state's commitment to the community corrections program at the FY 1985 level. The major portions of the reduction would be the deletion of the Johnson County program for



the full year and deletion of one quarter of funding for the new programs in Douglas, Saline, and Crawford/Cherokee/Labette counties to enter the program.

  
Representative David Miller  
Subcommittee Chairman

  
Representative George Teagarden

#### MINORITY REPORT

I concur with all of the Subcommittee recommendations with the exception of deleting community corrections funds for Johnson County. The state has few programs that are as cost effective as community corrections. The state must expend over \$11,000 annually for each inmate that could remain in a local community corrections program. In addition, while an individual is in a community corrections program they can be supporting their families, paying restitution to victims and doing community service. The atmosphere in Johnson County has changed dramatically since the Secretary of Corrections suspended the program on December 1, 1983. The program is now supported by the district court, county commission, and area law enforcement agencies. The testimony that the Subcommittee received indicated that Johnson County is ready to reenter the program. I have seen the success of a community corrections program in my home county of Sedgwick and I believe it can now be successful in Johnson County. If Johnson County is not permitted to reenter the program, valuable inmate bedspace in our correctional institutions will be filled with individuals from Johnson County who could remain at the local level. The decision of the Subcommittee is not cost effective to the state or fair to the citizens of Johnson County.

  
Representative Ruth Luzzati