

Approved: 3/28/95  
Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson Robin Jennison at 12:20 p. m. on March 22, 1995 in Room 514-S of the Capitol.

All members were present except: Representative Goossen, excused

Committee staff present: Alan Conroy, Legislative Research Department  
Laura Howard, Legislative Research Department  
Leah Robinson, Legislative Research Department  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Lenore Olson, Committee Secretary

Conferees appearing before the committee:  
Representative Vincent Snowbarger, House Majority Leader  
Paul Shelby - Office of Judicial Administration  
Marlin Rein - University of Kansas Medical Center

Others attending: See attached list

Subcommittee reports were presented for the correctional facilities covered under SB 71 and SB 236. (Attachment 1).

SB 71 - Appropriations for FY 96, department of corrections.  
SB 236 - Appropriations for FY 95, supplemental appropriations for various state agencies.

Representatives Kline, Dean and Cornfield presented the subcommittee report for the Department of Corrections.

Representative Cornfield presented the subcommittee report for the Lansing Correctional Facility.

Representative Cornfield presented the subcommittee report for the El Dorado Correctional Facility.

Representative Dean presented the subcommittee report for the Ellsworth Correctional Facility.

Representative Dean presented the subcommittee report for the Hutchinson Correctional Facility.

Representative Cornfield presented the subcommittee report for the Larned Correctional Mental Health Facility.

Representative Cornfield presented the subcommittee report for the Norton Correctional Facility.

Representative Dean presented the subcommittee report for the Topeka Correctional Facility.

Representative Dean presented the subcommittee report for the Winfield Correctional Facility.

A motion was made by Representative Kline, seconded by Representative Dean to amend the subcommittee report for the Winfield Correctional Facility to correct the amount of \$12,789 to be deleted for SHARP costs to show the amount as \$15,516. The motion carried.

A motion was made by Representative Kline, seconded by Representative Cornfield to adopt the subcommittee reports as amended for the Department of Corrections, and the Correctional Facilities. The motion carried.

A motion was made by Representative Nichols, seconded by Representative Kline, to amend SB 71 by adding a proviso for FY 96 similar to HB 2338 which relates to housing assignments for female inmates in the maximum security unit at the Topeka Correctional Facility. The motion carried.

A motion was made by Representative Kline, seconded by Representative Cornfield, to pass as amended SB 71. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS, Room 514-S Statehouse, at 12:20 p.m. on March 22, 1995.

The Chair opened the hearings on HB 2536 and HCR 5015.

HB 2536 - Creating compensation commission to establish compensation of elected state officials.

HCR 5015 - Constitutional amendment creating a citizens commission of legislative and executive compensation.

Representative Snowbarger testified in support of HB 2536 and HCR 5015. He said the time is ripe for considering another system of determining compensation for elected and executive officials and many other states already have commissions in place to review compensation (Attachment 2).

Paul Shelby, Office of Judicial Administration, testified in support of HB 2535 and HCR 5015 and offered two amendments: 1) to expand the legislation to include justices of the supreme court, judges of the court of appeals, and judges of the district court, and; 2) to expand the proposed commission from seven to nine members and allow one appointment each to the commission by the chief justice of the supreme court and the president of the Kansas bar association (Attachment 3).

Chairperson Jennison closed the hearings on HB 2536 and HCR 5015.

The Chair called upon Marlin Rein, KU Medical Center to present information on SB 170, SB 171, SB 173, and SB 174.

SB 170 - KU medical center, acquisition of hardware and software for hospital.

Mr. Rein distributed an executive summary which supports the need for authorization for sole source purchasing of hardware and software for the KU medical center (Attachment 4).

A motion was made by Representative Farmer, seconded by Representative Reinhardt, to pass SB 170 as amended. (SB 170 had been amended on March 20, 1995) The motion carried.

SB 171 - KU medical center, authorizing affiliations, joint ventures, partnerships and equity ownerships to provide medical services or medical network participation.

Mr. Rein distributed information on HMO, a cooperative venture owned by Blue Cross and Blue Shield of Kansas City, KUMC, Health Midwest, North Kansas City Hospital, Providence Medical Center and Olathe Medical Center (Attachment 5).

A motion was made by Representative Gross, seconded by Representative Gatlin, to pass SB 171. The motion carried.

SB 173 - KU medical center, lease and operation of off-campus medical facilities.

A motion was made by Representative Gross, seconded by Representative Neufeld, to pass SB 173. The motion carried.

SB 174 - KU medical center, purchasing procedures, exemptions, purchasing consortiums.

Mr. Rein distributed copies of a summary of agreements with the University Hospital Consortium Services Corporation (Attachment 6).

A motion was made by Representative Reinhardt, seconded by Representative Wilk, to pass SB 174. The motion carried.

Staff distributed copies of an updated Board of Agriculture Subcommittee report (SB 153) which includes information on the FACTS Program (Attachment 7).

The meeting adjourned at 2:00 p.m.  
The next meeting is scheduled for March 23, 1995.



**FY 1995-1996 SUBCOMMITTEE REPORTS**

**SENATE BILL NO. 71**

***Department of Corrections***

***El Dorado Correctional Facility***

***Ellsworth Correctional Facility***

***Hutchinson Correctional Facility***

***Lansing Correctional Facility***

***Larned Correctional Mental Health Facility***

***Norton Correctional Facility***

***Topeka Correctional Facility***

***Winfield Correctional Facility***



\_\_\_\_\_  
Representative Phil Kline  
Chair

  
\_\_\_\_\_  
Representative Darlene Cornfield  
\_\_\_\_\_  
Representative George R. Dean

3/22/95

Appropriations Cmte  
Attachment 1

## SUBCOMMITTEE REPORT

Agency: Department of Corrections

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 279

Budget Page No. 137

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 50,954,423	\$ 50,459,870	\$ (100,000)
Aid to Local Units	18,111,532	17,651,532	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal-Operating	\$ 69,065,955	\$ 68,111,402	\$ (100,000)
Capital Improvements	<u>10,056,786</u>	<u>10,056,786</u>	<u>0</u>
TOTAL	<u>\$ 79,122,741</u>	<u>\$ 78,168,188</u>	<u>\$ (100,000)</u>
State General Fund:			
State Operations	\$ 41,332,735	\$ 40,871,049	\$ (100,000)
Aid to Local Units	17,910,563	17,450,563	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal-Operating	\$ 59,243,298	\$ 58,321,612	\$ (100,000)
Capital Improvements	<u>4,580,000</u>	<u>4,580,000</u>	<u>0</u>
TOTAL	<u>\$ 63,823,298</u>	<u>\$ 62,901,612</u>	<u>\$ (100,000)</u>
FTE Positions	362.0	362.0	0.0
Special Project Appointments	<u>3.0</u>	<u>3.0</u>	<u>0.0</u>
TOTAL	<u>365.0</u>	<u>365.0</u>	<u>0.0</u>

### Agency Estimate/Governor's Recommendation

The agency's revised FY 1995 estimate totals \$69,065,955 for operating expenditures, compared to the \$63,806,032 operating budget approved by the 1994 Legislature, as adjusted by State Finance Council action, and as further adjusted by the Secretary of Corrections. (Staff Note: Since 1992, the Secretary has had the authority to transfer, with approval of the Governor, State General Fund moneys from the Department of Corrections (DOC) or any facility to DOC or any facility.) The revised FY 1995 estimate would support 362.0 FTE positions. The agency's revised estimate for aid to local units of government for community corrections grants (\$16,699,418) and the Labette Correctional Conservation Camp (\$1,412,114) totals \$18,111,532 compared to actual FY 1994 expenditures of \$13,395,470. The revised FY 1995 estimate includes \$15,380,061 for inmate medical and mental health care, \$8,846,860 for various offender programs, and \$4.9 million for interest payments on the debt service for the El Dorado, Larned, Ellsworth, and Wichita facilities. The agency estimate for FY 1995 includes \$10,056,786 for various capital improvement projects. Included in the FY 1995 estimate is \$4,876,449 for major

maintenance and repairs, \$600,000 in planning funds for the sexual predator treatment and housing unit at Larned Correctional Mental Health Facility, \$337 for other projects, and \$4.58 million for principal payments on the debt service for the El Dorado, Larned, Ellsworth, and Wichita facilities.

The Governor recommends FY 1995 operating expenditures of \$68,111,402, a reduction of \$954,553 from the agency's estimate. The recommendation would fund the existing 362.0 FTE positions. The Governor's recommendations include \$16,239,418 for Community Corrections Act grants (a reduction of \$460,000 from the agency's estimate), and \$1,412,114 for operating grant to the Labette Correctional Conservation Camp, as estimated by the agency. The Governor's recommendation includes \$15,052,733 for inmate medical and mental health care (a reduction of \$327,388 from the amount estimated by the agency), and \$8,846,583 for various offender programs (a reduction of \$278 from the agency's estimate). The recommendation also includes 4.8 million for debt service interest payments on the El Dorado, Larned, Ellsworth and Wichita facilities. The Governor concurs with the agency's estimate of \$5,476,786 for capital improvement projects.

### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustment:

1. The Subcommittee was advised that projections of expenditures for reimbursement to counties to cover the costs of jail expenses related to felony nonprison sentences will be substantially under the budgeted amount for FY 1995. The Governor's recommendation includes \$375,000 for this reimbursement, and so far, the Department has received requests for payment from counties totaling approximately \$123,000. The Subcommittee recommends reducing the amount budgeted for this reimbursement in FY 1995 by \$100,000, and reappropriating that amount to FY 1996 to reduce new State General Fund appropriations accordingly.

### **Senate Committee Recommendation**

Concur.

### **Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 95</u>	<u>Senate Rec. FY 95</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ (100,000)	\$ 50,359,870	\$ 0
Aid to Local Units	0	17,651,532	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal-Operating	\$ (100,000)	\$ 68,011,402	\$ 0
Capital Improvements	<u>0</u>	<u>10,056,786</u>	<u>0</u>
<b>TOTAL</b>	<b><u><u>\$ (100,000)</u></u></b>	<b><u><u>\$ 78,068,188</u></u></b>	<b><u><u>\$ 0</u></u></b>
<b>State General Fund:</b>			
State Operations	\$ (100,000)	\$ 40,771,049	\$ 0
Aid to Local Units	0	17,450,563	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal-Operating	\$ (100,000)	\$ 58,221,612	\$ 0
Capital Improvements	<u>0</u>	<u>4,580,000</u>	<u>0</u>
<b>TOTAL</b>	<b><u><u>\$ (100,000)</u></u></b>	<b><u><u>\$ 62,801,612</u></u></b>	<b><u><u>\$ 0</u></u></b>
FTE Positions	0.0	362.0	0.0
Special Projects App.	<u>0.0</u>	<u>3.0</u>	<u>0.0</u>
<b>TOTAL</b>	<b><u><u>0.0</u></u></b>	<b><u><u>365.0</u></u></b>	<b><u><u>0.0</u></u></b>

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

1-4

**SUBCOMMITTEE REPORT**

**Agency:** Department of Corrections

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 279

**Budget Page No.** 137

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 56,498,047	\$ 49,752,417	\$ (369,618)
Aid to Local Units	19,314,406	18,786,062	0
Other Assistance	0	0	0
Subtotal-Operating	\$ 75,812,453	\$ 68,538,479	\$ (369,618)
Capital Improvements	34,973,538	9,560,542	0
<b>TOTAL</b>	<b>\$ 110,785,991</b>	<b>\$ 78,099,021</b>	<b>\$ (369,618)</b>
State General Fund:			
State Operations	\$ 46,753,249	\$ 40,095,045	\$ (298,216)
Aid to Local Units	19,113,437	18,585,093	0
Other Assistance	0	0	0
Subtotal-Operating	\$ 65,866,686	\$ 58,680,138	\$ (298,216)
Capital Improvements	30,933,000	4,835,000	0
<b>TOTAL</b>	<b>\$ 96,799,686</b>	<b>\$ 63,515,138</b>	<b>\$ (298,216)</b>
FTE Positions	369.5	362.0	0.0
Special Project Appointments	3.0	3.0	0.0
<b>TOTAL</b>	<b>372.5</b>	<b>365.0</b>	<b>0.0</b>

**Agency Request/Governor's Recommendation**

The agency's operating budget request for FY 1996 totals \$75,812,453, an increase of \$6,746,498 over the revised FY 1995 estimate. In state operations, the agency requests funding of \$207,850 for 7.5 new FTE positions: 4.0 Parole Officers II (\$134,096); 3.0 Office Assistants III (\$62,640); and a 0.5 FTE Secretary I (\$11,114) for the Parole and Postrelease Supervision subprogram. The Department requests \$17,538,985 for aid to local units of government for the Community Corrections Act grants to counties, and \$1,775,421 for the operating grant to the Labette Correctional Conservation Camp. The FY 1996 request includes \$16,219,476 for inmate medical and mental health care, \$10,006,563 for various offenders programs, and \$4,724,000 for interest payments on the debt service for the El Dorado, Larned, Ellsworth, and Wichita facilities. For capital improvements in FY 1996, the Department requests \$34,973,538, of which \$30,933,000 is from the State General Fund and \$4,040,538 is from the Correctional Institutions Building Fund (CIBF). Of the capital improvement request, \$18,174,000 is for construction of two housing units at the El Dorado facility, \$6,444,000 is for construction of the sexual predator treatment and housing unit at Larned Correctional Mental Health Facility, \$1,500,000 is for construction of a new Reception and



Diagnostic Unit, and \$4,815,000 is for debt service principal payments on the El Dorado, Larned, Ellsworth, and Wichita facilities, and \$4,040,538 is for major maintenance and repairs.

The Governor's FY 1996 recommendation for operating expenditures is \$68,538,479, a reduction of \$7,273,974 from the amount requested by the agency. The recommendation would fund the existing 362.0 FTE positions, a reduction of 7.5 FTE from the number requested by the agency. The recommendation includes \$17,331,125 in Community Corrections Act grants (a reduction of \$207,860 from the agency's request), and \$1,454,937 for the operating grant to Labette Correctional Conservation Camp (a reduction of \$320,484 from the request). The recommendation also includes \$16,227,819 for inmate medical and mental health care (a reduction of \$8,343 from the request), and \$6,445,642 for various offender programs (a reduction of \$3,560,921). The Governor's recommendation includes debt service interest payments totaling \$4,537,228 for the El Dorado, Larned, Ellsworth, and Wichita facilities. For capital improvements in FY 1996, the Governor recommends a total of \$9,560,542, including \$4,835,000 from the State General Fund and \$4,725,542 from the CIBF. The recommendation includes \$4,725,542 for rehabilitation and repair projects, and \$4,835,000 for debt service principal payments on the El Dorado, Larned, Ellsworth, and Wichita facilities.

### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. Delete \$360,618, including \$289,216 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$28,545); classified step movement (\$124,911); a one percent base adjustment for classified employees (\$111,076); and the longevity bonus (\$96,087) from individual agency budgets.
2. Delete \$9,000 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHARP) system.
3. The Subcommittee recommends a larger payback to the State General Fund from the Kansas Correctional Industries Fund. The 1989 Legislature approved the transfer of \$1,305,138 from the State General Fund to the Correctional Industries Fund to assist in the start-up of new industries programs at the Hutchinson and Ellsworth facilities. During the 1990 Session, the Conference Committee which reviewed the Department's budget included language which recommended that a payback to the State General Fund be made over a five-year period, beginning in FY 1991, and that \$105,138 be transferred in FY 1991, with additional annual transfers of \$300,000 over the next four ensuing fiscal years. The transfer of \$105,138 was made in FY 1991 by Sub. H.B. 2624. During the 1991 Session, due to the potential for a dangerously low ending balance, the 1991 Conference Committee recommended that a minimum of \$50,000 be transferred each year. \$50,000 was transferred in both FY 1992 and FY 1993. 1993 H.B. 2048 directed the transfer of \$200,000 in FY 1994, and 1994 H.B. 2689 directed the transfer of \$200,000 in FY 1995 to continue the payback to the State General Fund. The balance due to repaid at the end of FY 1995 is \$700,000. The agency requested that the FY 1996 transfer not exceed \$50,000, but the Governor recommended a

repayment amount of \$200,000. The table below reflects the history of the repayment including the Governor's recommendation for FY 1996:

**Kansas Correctional Industries Fund  
Repayment to State General Fund**

FY 1990	Transfer from SGF to Correctional Industries Fund (\$1,305,138)	\$ 1,305,138
FY 1991	Repayment (\$105,138)	105,138
FY 1992	Repayment (\$50,000)	50,000
FY 1993	Repayment (\$50,000)	50,000
FY 1994	Repayment (\$200,000)	200,000
FY 1995	Repayment (\$200,000)	200,000
FY 1996 (Rec.)	Repayment (\$200,000)	200,000
	Balance Remaining	<u><u>\$ 500,000</u></u>

The Subcommittee believes that the fund could, in fact, repay a larger portion of the amount owed to the State General Fund, and recommends that an additional \$150,000 be transferred from the Correctional Industries Fund to the State General Fund. The table below reflects the status of the fund, based on the Subcommittee's recommendation.

	Actual FY 1994	Estimate FY 1995	Estimate FY 1996
Beginning Balance	\$ 1,031,481	\$ 1,334,122	\$ 1,422,997
Net Receipts	7,792,306	8,283,295	8,691,915
Total Available	\$ 8,823,787	\$ 9,617,417	\$ 10,114,912
Less: Expenditures	7,289,665	7,994,420	8,288,120
Transfer Out to SGF	200,000	200,000	350,000
Balance Forward	\$ 1,334,122	\$ 1,422,997	\$ 1,476,792

4. The Subcommittee is extremely concerned about the cuts in offender programs which would be required under the Governor's recommendation. The approved FY 1995 amount for programs totals \$8,846,860 in state and federal funding, and an additional \$1,565,000 in off-budget expenditures from the inmate benefit fund for total FY 1995 program funding of \$10,411,860. For FY 1996, the agency requested \$10,006,563 in state and federal funding for offender programs, with an additional \$825,000 from the inmate benefit fund. The Governor's FY 1996 recommendation for offender programs totals \$6,445,642 from state and federal funds, and \$1,300,000 from the inmate benefit fund for total expenditures of \$7,745,642. This amounts to a total reduction of \$2,666,218.

The Department is in the process of determining what programs will be eliminated or substantially reduced in order to meet the reduction in program funding.

1-7

Attachment A reflects the preliminary program reductions being considered at this time. The reductions currently being considered by the Department include: the elimination of halfway house placements; the elimination of four or five (of 26) vocational education programs; funding for battered women's counseling programs; reductions in community-based substance abuse programs; and elimination of the Visitors Centers at the various facilities. The most troublesome of these reductions are the cuts in community-based substance abuse programs and the reductions in vocational and special education programs. The Department is clearly attempting to preserve those programs with the best success rates, and those which target and treat criminal behavior first. While the Subcommittee is not recommending additional funding at this time, the Department is encouraged to use any additional inmate benefit funds which might become available to restore the programs which will have to be eliminated now. The Department indicates that receipts from telephone commissions might be higher than anticipated. In addition, the Department indicates that the Kansas Correctional Industries Fund could be utilized to provide funding for specific vocational programs. The projected status of the off-budget inmate benefit fund is set out below:

*Status of the Inmate Benefit Fund*

**Fiscal Year 1995**

Unencumbered Cash Balance - June 30, 1994	\$ 1,344,935
Add: Receipts from Telephone Commissions	795,000
Add: Interest Earnings	30,000
Less: Transfer to LCF for Recreation Building	(108,000)
Less: Transfer to TCF for Dog Grooming Program	(37,180)
Total Available Resources	<u>\$ 2,024,755</u>
Less: Estimated Expenditures	
Offender Programs	\$ 1,565,000
Volunteer Coordinator	41,025
Video Imaging System	112,440
Canteen System	100,000
Total Expenditures	<u>\$ 1,818,465</u>
Unencumbered Cash Balance - June 30, 1995	<u><u>\$ 206,290</u></u>

**Fiscal Year 1996**

Unencumbered Cash Balance - June 30, 1995	\$ 206,290
Add: Receipts from Telephone Commissions	1,300,000
Add: Interest Earnings	30,000
Total Available Resources	<u>\$ 1,536,290</u>
Less: Estimated Expenditures	
Offender Programs	1,300,000
Volunteer Coordinator and Victim Notification Positions	95,812
Total Expenditures	<u>1,395,812</u>
Unencumbered Cash Balance - June 30, 1996	<u><u>\$ 140,478</u></u>

Also, the Subcommittee recommends that DOC search for efficiencies in its central administrative costs relating to the administration of offender programs and be prepared to report to the Subcommittee reviewing this budget during the 1996 Session.

5. The Subcommittee was informed about the new funding formulas for distribution of Community Corrections Act (CCA) grant funds to local programs. The formulas are based on the concept that all CCA programs will provide intensive supervision as the basic service for both adults and juveniles. For adult programs, DOC began with the budgeted FY 1995 unit cost for adult intensive supervision (\$2,450). Ten percent was added for administrative costs for a total of \$2,695. Each local program will receive that amount multiplied by its projected average daily population (ADP). Because some offenders (estimated at 10 percent of projected ADP) require more extensive services, DOC calculated 10 percent of the projected ADP and multiplied that figure by \$2,450, the initial intensive supervision rate. This will provide for extended services such as day reporting.

For juveniles, DOC began with the adult amount including administrative costs (\$2,695) and added 20 percent (as a standards difference relating to caseload size) for a basic juvenile rate of \$3,234. In addition, DOC estimates that 20 percent of juvenile offenders will require more extensive services. DOC multiplied 20 percent of the projected juvenile ADP by \$2,940 to provide additional funds for extended services.

Attachment B reflects the FY 1995 allocations for CCA grant funds. The Subcommittee commends the Department for establishing, after consultation with the local program directors, a logical system for the distribution of these funds.

6. The Subcommittee was informed about the new fee structure being utilized by the Department. During the 1994 Session, the Department requested authority to impose fees for various services provided to offenders. This authority was granted with the enactment of 1994 H.B. 2832. The Department has promulgated K.A.R. 44-5-115 to implement this statute. This regulation became effective January 3, 1995. The regulation imposes fees in the following four situations:
  - Each inmate is assessed a one dollar per month fee for the facility administering the inmate trust account.
  - Offenders on post-incarceration status will be assessed a supervision fee of up to \$25.00 per month.
  - Each inmate will be assessed a fee of \$2.00 for each primary visit to sick call. Subsequent visits scheduled by medical staff will not be assessed a charge.
  - Offenders will be assessed a fee for each urinalysis test administered for the purpose of determining the use of illegal substances which has a positive result.

1-9

The assessment of fees to inmates began January 15, 1995. The assessment of supervision fees for offenders on post incarceration status will begin in March or April after a collection procedure has been put into place. The Department notes that expansion of the use of service fees to other areas may be an issue to explore in the future. The Subcommittee is very supportive of the Department's innovative fee initiative and encourages the Department to continue to pursue the expansion of offender fee assessments.

7. The Subcommittee wishes to commend the agency for its continued effective management. Since FY 1992, the Secretary of Corrections has had the authority, with approval of the Governor, to transfer State General Fund moneys and FTE positions from the DOC or any facility to the DOC or any other facility. This has allowed the facilities and the Department to function well within existing resources.
8. The Subcommittee heard testimony regarding the temporary housing of civilly committed sexual predators. As of February 15, a third sexual predator has been committed to the custody of the Department of Social and Rehabilitation Services (SRS). The current facilities being used to temporarily house sexual predators at Larned State Hospital are inadequate to house any additional commitments. A federal court order requires that the State Security Hospital at Larned provide 84 inpatient psychiatric beds for DOC inmates transferred to the hospital pursuant to K.S.A. 75-5209. For the past six months, the DOC's actual daily usage of these beds has averaged around 20 beds. The other beds have been available for persons placed at the State Security Hospital by District Courts. The Subcommittee was informed that an understanding has been reached between SRS, DOC, and the Office of Judicial Administration (OJA). As a temporary measure, a minimum of ten and a maximum of 30 beds will be made available at the Larned Correctional Mental Health Facility (LCMHF). This requires the transfer of a similar number of inmates to the State Security Hospital. OJA has notified Administrative Judges throughout the state that DOC will need to begin utilizing additional bed space at the State Security Hospital so that a wing at the Larned Correctional Mental Health Facility (LCMHF) can be used to house sex predators. This will involve shifting inmates from LCMHF to the State Security Hospital. The immediate impact of the agreement will be seen in longer waiting lists for court admissions. It is the understanding of the OJA that this will be a temporary measure, and that permanent arrangements for the housing of sex predators will be made.

The Subcommittee notes that DOC presented a plan for a 90-bed addition to the Larned Correctional Mental Health Facility to provide permanent space for the housing of sex predators. That plan, totaling \$7,282,000, would provide housing at a cost of slightly under \$79,000 per bed. That plan was not recommended by the Joint Committee on State Building Construction. As noted in the Larned Correctional Mental Health Facility report, the Department is pursuing additional options for a more permanent solution. In addition, the Subcommittee notes that 1995 S.B. 3, which is currently pending in the Senate Judiciary Committee, would mandate separation of the sex predators from the general inmate population.

Current law mandates that, after June 1, sex predators must be completely segregated from any other mental health patient. The Subcommittee urges the appropriate Committees and Subcommittees to continue to strive toward a long-range solution to house this particular population. Given the mental health care needs of its inmates at LCMHF, the Department does not want to clear a second 30-bed wing to house additional civilly committed sex predators. Nothing that has been done so far has addressed the long-term housing needs of this population and the matter should be resolved as soon as possible.

9. The Department was also informed that despite efforts to increase the average daily population (ADP) of the Labette Correctional Conservation Camp (LCCC), the ADP has remained between 75-80. The budget for the Camp is based on an ADP of 95. The Department is preparing a proposal for submission to the Legislature which would allow for direct placement to the Camp by the Department of Corrections. The Subcommittee recommends that the Department pursue this option, and discuss the status of the legislation with the House Subcommittee.

#### **Senate Committee Recommendation**

The Senate Committee concurs with the recommendations of the Subcommittee with the following adjustments:

1. The Committee recommends the addition of a total of \$1,000,000 for offender programs in the DOC budget. Of this amount, \$900,000 is from state funds (including \$650,000 from the State General Fund and \$250,000 from the Correctional Industries Fund) and \$100,000 is from the off-budget Inmate Benefit Fund. The Committee recommends the revision of item 3 of the Subcommittee report to provide that, instead of increasing the transfer from the Correctional Industries Fund to the State General Fund, a total of \$250,000 in Correctional Industries funds be expended for offender programs. The Committee further recommends that the funds be subject to State Finance Council release following demonstration by the agency that it has evaluated the effectiveness of the programs for which funding will be utilized.

#### **Senate Committee of the Whole Recommendation**

The Senate Committee of the Whole concurs with the recommendations of the Committee with the following adjustment:

1. Add language to the bill recommending that the Department of Corrections use any additional inmate benefit funds which may become available to give priority to the funding of visitors centers at Norton, Ellsworth, Hutchinson, and Lansing Correctional Facilities and the halfway house operated in Salina.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 96</u>	<u>Senate Rec. FY 96</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 530,382	\$ 50,282,799	\$ 200,000
Aid to Local Units	0	18,786,062	0
Other Assistance	0	0	0
Subtotal-Operating	<u>\$ 530,382</u>	<u>\$ 69,068,861</u>	<u>\$ 200,000</u>
Capital Improvements	0	9,560,542	0
<b>TOTAL</b>	<u><u>\$ 530,382</u></u>	<u><u>\$ 78,629,403</u></u>	<u><u>\$ 200,000</u></u>
<b>State General Fund:</b>			
State Operations	\$ 351,784	\$ 40,446,829	\$ 0
Aid to Local Units	0	18,585,093	0
Other Assistance	0	0	0
Subtotal-Operating	<u>\$ 351,784</u>	<u>\$ 59,031,922</u>	<u>\$ 0</u>
Capital Improvements	0	4,835,000	0
<b>TOTAL</b>	<u><u>\$ 351,784</u></u>	<u><u>\$ 63,866,922</u></u>	<u><u>\$ 0</u></u>
FTE Positions	0.0	362.0	0.0
Special Projects App.	<u>0.0</u>	<u>3.0</u>	<u>0.0</u>
<b>TOTAL</b>	<u><u>0.0</u></u>	<u><u>365.0</u></u>	<u><u>0.0</u></u>

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate, with the following adjustments and observations:

1. Add an additional \$200,000 from the Kansas Correctional Industries Fund for inmate programs. The Senate added a total of \$1,000,000 for inmate programs, including \$250,000 from the Kansas Correctional Industries Fund. As noted in the Senate Subcommittee recommendations, the Governor's recommendation includes a transfer of \$200,000 from the Kansas Correctional Industries Fund to the State General Fund to repay the State General Fund for a transfer made in FY 1990. The balance remaining as of FY 1995 is \$700,000. The Subcommittee recommends that the transfer not be made in FY 1996, and the \$200,000 instead be used for inmate programs. This results in a total recommendation for inmate programs, from all funding sources, of \$8,945,642. The Subcommittee notes that this recommendation is still \$1,465,940 below the amount recommended for inmate programs in FY 1995 (\$10,411,582).

1-12

2. The Subcommittee was informed about payments made by inmates who are involved in work release programs and in joint-venture private industry work programs which operate as a part of Kansas Correctional Industries. Inmates in work release and private industry assignments receive paychecks from their employers. State and federal taxes and social security payments are withheld by the employer. From the net wages, the Department withholds funds for room and board per diem costs and transportation provided by the state. These funds are deposited into the State General Fund. Deductions from an inmate's wages are also made for other financial obligations, which include court ordered restitution, court costs, fines, dependent support, and payment to the Crime Victims' Compensation Fund. The amount of money earned by these inmates during FY 1994, and its distribution, is presented in the following table:

	<u>Avg. No. of Inmates</u>	<u>Total Earnings</u>	<u>State &amp; Fed. Taxes</u>	<u>Per Diem &amp; Transp.</u>	<u>Indiv. Fin. Oblig.</u>
Wichita	182	\$ 1,429,343	\$ 131,031	\$ 222,685	\$ 132,120
Hutchinson	15	157,178	25,197	28,307	23,558
Topeka	24	270,604	45,861	43,183	17,541
Private Ind.	121	994,144	313,123	164,425	51,421
TOTAL	<u>342</u>	<u>\$ 2,851,269</u>	<u>\$ 515,212</u>	<u>\$ 458,600</u>	<u>\$ 224,640</u>

Once these deductions are made, a percentage of the remainder of the pay is set aside as mandatory savings and is available to the inmate only at the time of release from custody. These savings offset the gratuity payment, or "gate" pay, provided by the Department to inmates who have no savings at the time of their release. The inmate retains a set amount of money from each paycheck with which he or she is able to purchase personal items.

The Subcommittee is very supportive of the provisions requiring payment of individual financial obligations, and is pleased with the amounts being collected to help satisfy these obligations.

3. The Subcommittee recommends the introduction of a bill which would provide that any amounts awarded to inmates through the claims process, or through court judgments, be subject to attachment for restitution, where restitution has been ordered by a sentencing court. The Subcommittee believes that this could reduce the number of inmate claims filed and paid, both through the Department's internal claims procedure and through the Joint Committee on Special Claims Against the State, and at the same time, provide for additional payment of restitution obligations.
4. The Subcommittee also wishes to note, with approval, a new offender management plan which will be implemented by DOC on October 1, 1995. Currently offenders



are expected to abide by rules and demonstrate appropriate behavior. If an offender fails to do so, the offender is punished through negative sanctions. Under the Department's new plan, newly admitted inmates will be exposed to humane yet austere living conditions with virtually no privileges. Inmates will be provided an opportunity to earn privileges by demonstrating a willingness to abide by institutional rules, participate in work and programs, and work towards changing inappropriate behavior. Accordingly, all new commitments will initially be assigned to the Intake Level during their period of assessment and evaluation. After successful completion of the Intake Level, Incentive Levels I, II, and III will follow with increased privileges upon the demonstration of appropriate behavior. Earnable privileges will consist of television viewing, hobby/craft activities, participation in selected organizations and formalized activities, canteen expenditures, property allowances, incentive pay, and visitation. The level system of offender management will continue following the offender's release from incarceration. Offenders under postrelease supervision will be able to earn a reduction in supervision fees and less restrictive travel limitations under the level system.

5. The Subcommittee discussed the possible utilization of two-way interactive video conferencing capabilities among the individual correctional facilities. This would include providing access for the Kansas Parole Board to use the video conferencing facilities for parole hearings. The Parole Board indicated that, at the present time, it was more cost effective for Board members to travel to correctional facilities than to use the video conferencing facilities at the Docking State Office Building. The Subcommittee believes that video conferencing would be more cost effective in the long run. The Department of Corrections expressed its continued interest in investigating cost-effective methods for assisting the Parole Board in handling its hearing duties at correctional facilities, and the Subcommittee encourages the two agencies to continue to explore the use of telecommunications for this purpose.
6. The Subcommittee extensively reviewed 45 pages of performance indicators provided by the Department of Corrections for the following programs: Administration; Parole and Postrelease Supervision; Community Corrections; the Labette Correctional Conservation Camp; Offender Programs; Inmate Medical and Mental Health Care; the Wichita Work Release Facility; and Kansas Correctional Industries.

The performance measures developed and presented by the Department were very well done. Although the Subcommittee elected not to include the 45 pages in the Subcommittee report, copies of the performance measures will be made available upon request.

7. The Department indicated that, since 1991, it has been developing and phasing in a policy to protect employees, inmates, and others who enter DOC buildings from the avoidable health risks associated with smoking. An Internal Management Policy and Procedure (IMPP) requiring all departmental facilities, offices, and vehicles to become smoke-free by January 1, 1996 was adopted by the Department prior to the issuance of Executive Order No. 94-165. The executive order prohibits smoking in all state owned or leased buildings as August 1, 1994, except that inmate living

areas are to be smoke-free by July 1, 1995. The implementation plans are in various stages at the individual facilities, with several facilities already completely smoke-free. The Department has indicated that it will be in complete compliance with the Executive Order by July 1, 1995.

8. The Subcommittee wishes to raise a concern regarding the issue of closure of a state hospital. Several correctional facilities (Winfield, Topeka, Larned, and Osawatomie) receive services of varying degrees from the state hospital where the facilities are located. The services vary from food service to utilities. The Subcommittee draws attention to the fact that the impact of any hospital closure would also have a budgetary impact on the correctional facilities as well.
9. The Subcommittee received information from the Department's Information Resource Manager concerning the new inmate telephone system, which will soon be fully operational in all of the facilities. The new system provides features that include: recording of selected inmate calls; live monitoring of calls; call blocking of selected numbers; three-way call prevention; and on-site control of the entire system. As with the former system, commissions earned on inmate telephone calls to locations outside the local service area are paid to the Department's Central Inmate Benefit Fund, and commissions from calls to locations with the local service area are paid to the particular facility's Inmate Benefit Fund. The Department believes that the enhanced capabilities of the new system will help to further reduce the number of harassing and criminal calls placed from within correctional facilities.
10. The Subcommittee also received information from the Department's Information Resource Manager concerning the implementation of the Criminal Justice Information System (CJIS). A committee comprised of representatives of the Kansas Sentencing Commission, the Kansas Bureau of Investigation, and the Departments of Corrections, Social and Rehabilitation Services, and Education have been meeting to consider and recommend improvements to the CJIS. The next step in the development of the CJIS is to utilize a needs analysis to determine what systems are currently in use, and can be utilized further, and what additional software and hardware needs exist. The Subcommittee notes that, currently, there is \$625,073 (including \$156,267 from the State General Fund) included in the budget of the Kansas Sentencing Commission to provide for the development of an integrated statewide criminal justice information system. Improvements to the CJIS are sorely needed and the Subcommittee is very supportive of the project.
11. The Subcommittee is extremely concerned about the increasing inmate population. The inmate population has increased by 875 inmates in the past year. This leads to the conclusion that there will, in fact, be a need for capacity expansion in the very near future. Under the Department's most recent projections (February 1995), DOC is estimating a population of 7,045 by June 30, 1996, while population capacity is estimated at 6,812 at that time. While admissions within the system are holding fairly steady, releases are declining substantially. The Department's prior projections, done in November 1994, projected a parole rate of 25 percent. The parole rate is proving to be even lower than that, and the Department's revised projections are based on a parole rate of 19 percent. According to the Department, this may be a direct result of the fact that the easier parole decisions have been made

under the retroactivity provisions of the sentencing guidelines. Those inmates who remain in the system are more difficult offenders, and the Parole Board has a more difficult time reaching decisions regarding parole for these inmates. Attachments C, D, and E to the Subcommittee report reflect the Department's end of the month populations for the period ending February 28, 1995, monthly admissions and releases for FY 1994 and for FY 1995 to-date, and the actual inmate population to-date in FY 1995, as compared to the Department's November 1994 and February 1995 projections.

The Subcommittee has learned that the Department of Corrections has developed a plan under which capacity may be expanded through renovations at existing facilities. While the renovations can be completed through repair and rehabilitation funds already included in the agency's budget, it appears that there will be a need for increased funds for staffing. The Subcommittee anticipates a Governor's Budget Amendment on the matter and recommends that this item be revisited during the review of items for the omnibus appropriations bill.

Attachment A

The Governor's FY 1996 recommendation for offender programs represents a reduction of \$2,665,940 from the recommendation for the current fiscal year. The estimated reductions by program area are summarized below:

<u>Program</u>	<u>FY 1995</u>	<u>FY 1996</u>	<u>Increase/ (Reduction)</u>
Sex Offender Treatment (Facility)	\$1,100,000	\$941,018	(\$158,982)
(Field)	200,000	100,000	(100,000)
Substance Abuse Treatment (Facility)	1,064,700	964,765	(99,935)
(Field)	2,038,858	1,615,712	(423,146)
Cognitive Interventions/Staff Training	150,000	--	(150,000)
Halfway House Beds	482,792	--	(482,792)
Education: Special Education	460,397	416,615	(43,782)
Education Assessment	120,402	138,205	17,803
Literacy, GED, Vocational	4,223,953	3,848,963	(374,990)
Mental Health/Transitional - Field	103,075	--	(103,075)
Women's Activity and Learning Center	31,922	-- *	(31,922)
Programs Support Position	41,529	-- **	(41,529)
Visitors' Centers	252,523	--	(252,523)
Battered Women's Program	47,150	--	(47,150)
Unallocated Balance	<u>94,281</u>	<u>--</u>	<u>(94,281)</u>
<b>TOTAL - ALL EXPENDITURES</b>	<b><u>\$10,411,582</u></b>	<b><u>\$8,025,278</u></b>	<b><u>(\$2,386,304)</u>***</b>

\* Funding for this program is included in the FY 1996 budget for the Topeka Correctional Facility.

\*\* Funding for this position is included in the FY 1996 budget for the Central Management subprogram.

\*\*\* A further reduction of \$279,636 will be avoided by shifting the financing of a vocational program to the Correctional Industries Fund and/or increasing financing from the DOC Inmate Benefit Fund if resources are available.

## ATTACHMENT B

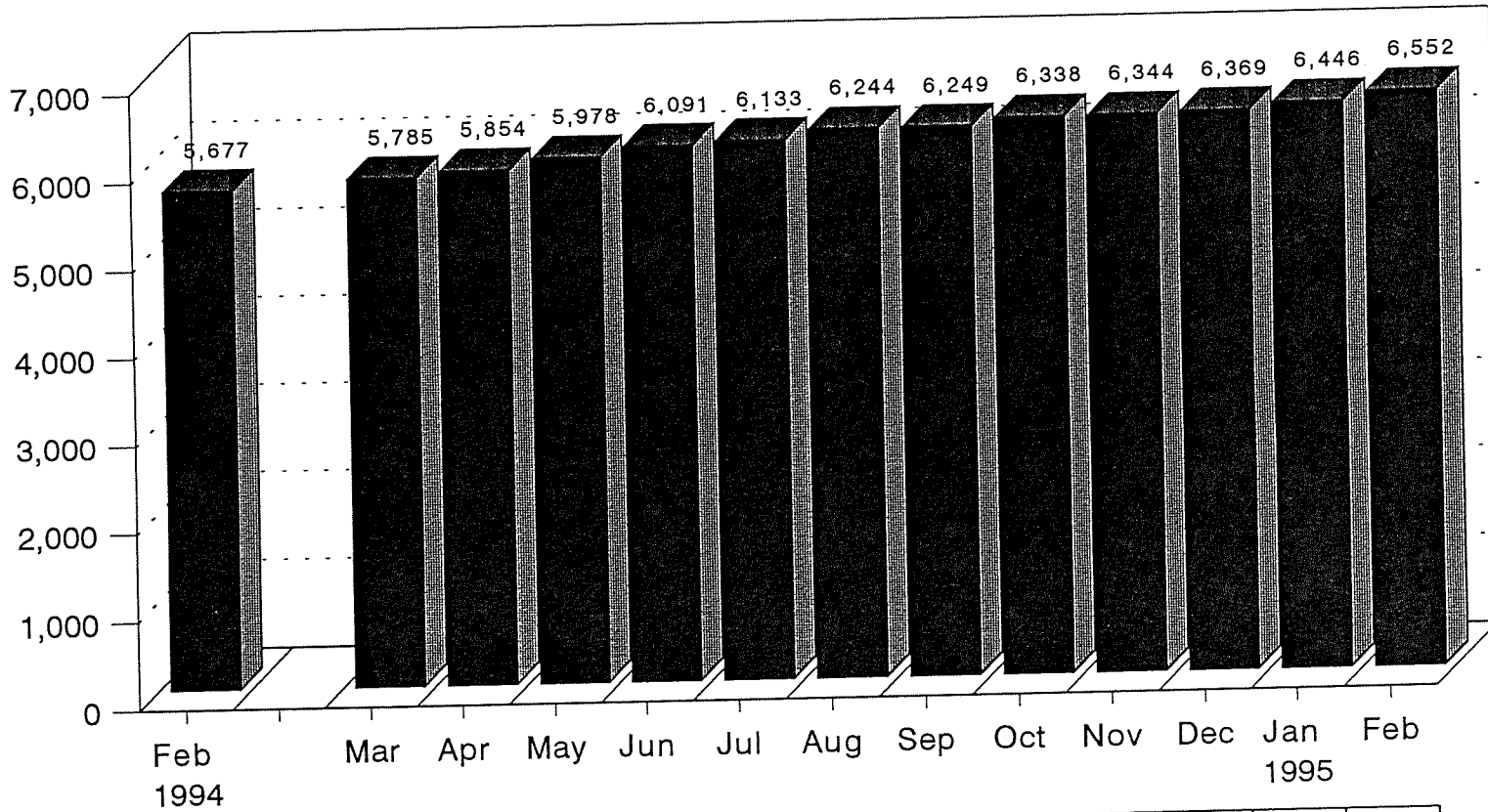
## COMMUNITY CORRECTIONS - FY 1995 ALLOCATIONS

Program	FY 95 KDOC Adult Pop. Projections	Total Adult Basic Alloc. Unit Cost \$2,695	Total Day Reporting/ Extended Services \$2,450 for 10% of Pop.	Special Programs (Residential)		Total Adult Allocation	FY 95 Agency Juvenile Proj. (Existing and New Services)	Total Basic Juvenile Services Unit Cost \$3,234	Total Day Reporting/ Ext. Services \$2,940 for 20% of Pop.	Total Juvenile Allocation	Total KDOC FY 95 Projection	Total Funding Adult and Juvenile
				ADP	Total Alloc. \$15,642/ADP							
12th District	20	\$ 53,900	\$ 4,900			\$ 58,800	6	\$ 19,404	\$ 3,528	\$ 22,932	26	\$ 81,732
Atchison	25	67,375	6,125			73,500	10	32,340	5,880	38,220	35	111,720
22nd District	25	67,375	6,125			73,500	10	32,340	5,880	38,220	35	111,720
2nd District	33	88,935	8,085			97,020	12	38,808	7,056	45,864	45	142,884
Leavenworth	40	107,800	9,800			117,600	15	48,510	8,820	57,330	55	174,930
30th District	44	118,580	10,780			129,360	15	48,510	8,820	57,330	59	186,690
24th District	44	118,580	10,780			129,360	10	32,340	5,880	38,220	54	167,580
Sumner	45	121,275	11,025			132,300	20	64,680	11,760	76,440	65	208,740
13th District	60	161,700	14,700			176,400	25	80,850	14,700	95,550	85	271,950
Cimmaron Basin	70	188,650	17,150			205,800	20	64,680	11,760	76,440	90	291,950
Central Kansas	75	202,125	18,375			220,500	24	77,616	14,112	91,728	99	312,228
5th District	75	202,125	18,375			220,500	30	97,020	17,640	114,660	105	335,160
Riley	80	215,600	19,600			235,200	25	80,850	14,700	95,550	105	330,750
4th District	80	215,600	19,600			235,200	20	64,680	11,760	76,440	100	311,640
25th District	80	215,600	19,600			235,200	31	100,254	18,228	118,482	111	353,682
Cowley	82	220,990	20,090			241,080	20	64,680	11,760	76,440	102	317,520
Douglas	89	239,855	21,805			261,660	38	122,892	22,344	145,236	127	406,896
Santa Fe Trail	90	242,550	22,050			264,600	20	64,680	11,760	76,440	110	341,040
Reno	90	242,550	22,050			264,600	33	106,722	19,404	126,126	123	390,726
Bourbon/Linn/Miami	90	242,550	22,050			264,600	25	80,850	14,700	95,550	115	360,150
9th District	95	256,025	23,275			279,300	26	84,084	15,288	99,372	121	378,672
Montgomery	107	288,365	26,215			314,580	15	48,510	8,820	57,330	122	371,910
Northwest Kansas	113	304,535	27,685			332,220	25	80,850	14,700	95,550	138	427,770
Southeast Kansas	125	336,875	30,625			367,500	20	64,680	11,760	76,440	145	443,940
8th District	125	336,875	30,625			367,500	35	113,190	20,580	133,770	160	501,270
Saline	165	444,675	40,425			485,100	30	97,020	17,640	114,660	195	599,760
Shawnee	293	789,635	71,785			861,420	40	129,360	23,520	152,880	333	1,014,300
Wyandotte	400	1,078,000	98,000			1,176,000	70	226,380	41,160	267,540	470	1,443,540
Johnson	504	1,358,280	123,480	39	610,038	2,091,798	80	258,720	47,040	305,760	584	2,397,558
Sedgwick	770	2,075,150	188,650	64	1,001,088	3,264,888	100	323,400	58,800	382,200	870	3,647,088
<b>TOTAL</b>	<b>3,934</b>	<b>\$ 10,602,130</b>	<b>\$ 963,830</b>	<b>103</b>	<b>\$ 1,611,126</b>	<b>\$ 13,177,086</b>	<b>850</b>	<b>\$ 2,748,900</b>	<b>\$ 499,800</b>	<b>\$ 3,248,700</b>	<b>4,784</b>	<b>\$ 16,427,000</b>

81-1

# Kansas Department of Corrections

## End-of-month Inmate Population: February, 1994 - February, 1995\*



Attachment C

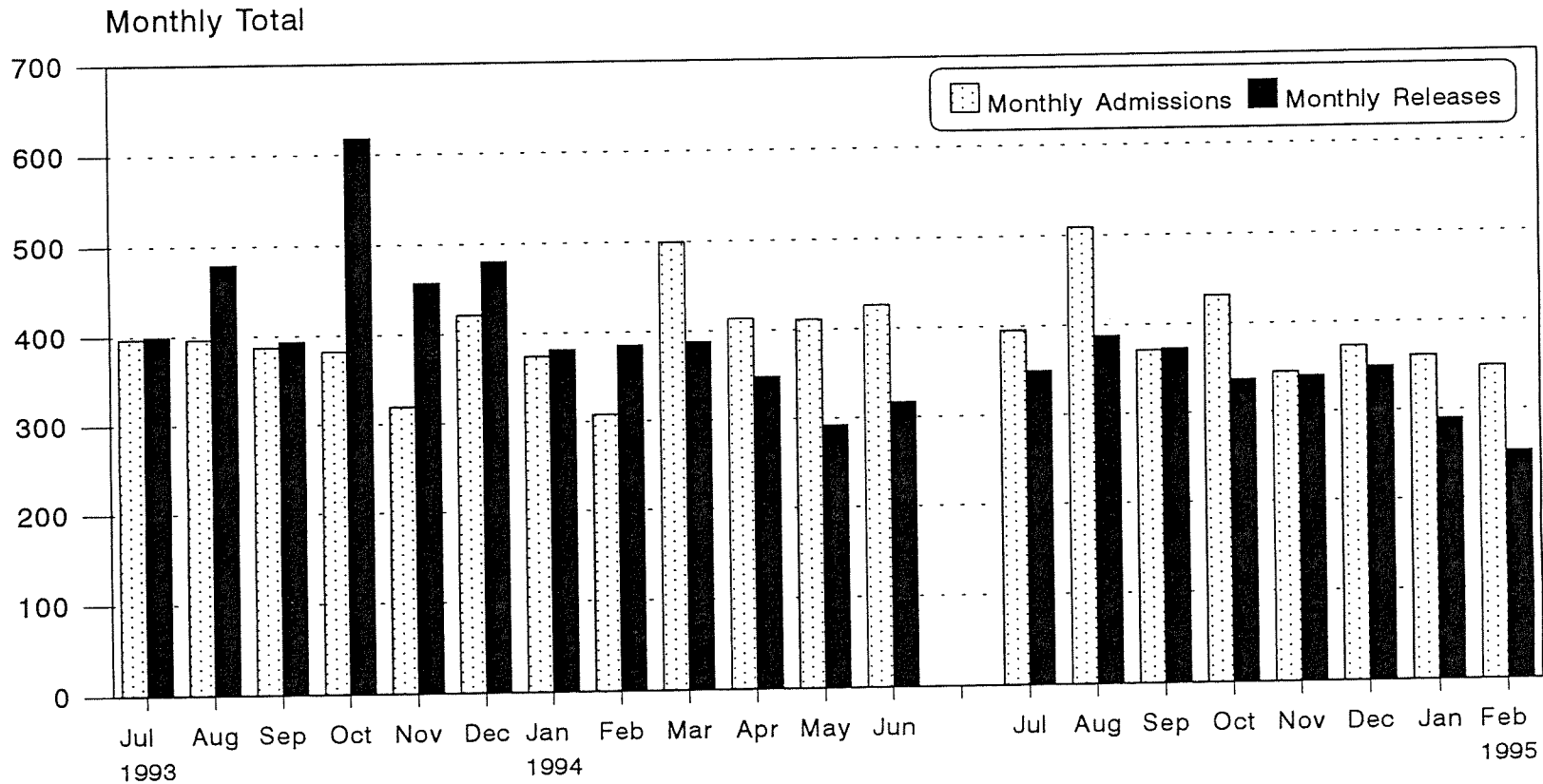
Change from Prev. Mo.			108	69	124	113	42	111	5	89	6	25	77	106
Change from Feb., 1994			108	177	301	414	456	567	572	661	667	692	769	875

\*Figures reflect the total inmate population (combined DOC and Non-DOC facility populations).

61-1

# Kansas Department of Corrections

## Monthly Admissions and Releases: FY 1994 and FY 1995 To-date (Through Feb., 1995)



Monthly Admissions	397	396	387	382	319	421	374	308	499	413	411	426		395	509	371	431	345	373	361	349
Monthly Releases	399	479	393	618	457	480	381	385	388	348	292	317		350	388	373	337	340	350	290	253
Cumulative Admissions	397	793	1180	1562	1881	2302	2676	2984	3483	3896	4307	4733		395	904	1275	1706	2051	2424	2785	3134
Cumulative Releases	399	878	1271	1889	2346	2826	3207	3592	3980	4328	4620	4937		350	738	1111	1448	1788	2138	2428	2681

HG3 Chart ADM94-95

Attachment D

120





**SUBCOMMITTEE REPORT**

**Agency:** Lansing Correctional Facility

**Bill No. --**

**Bill Sec. --**

**Analyst:** Robinson

**Analysis Pg. No. 333**

**Budget Page No. 377**

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 28,980,807	\$ 28,835,209	\$ 0
Capital Improvements	241,165	241,165	0
<b>TOTAL</b>	<b><u>\$ 29,221,972</u></b>	<b><u>\$ 29,076,374</u></b>	<b><u>\$ 0</u></b>
State General Fund:			
State Operations	\$ 28,663,549	\$ 28,517,951	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u>\$ 28,663,549</u></b>	<b><u>\$ 28,517,951</u></b>	<b><u>\$ 0</u></b>
FTE Positions	714.0	714.0	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<b><u>714.0</u></b>	<b><u>714.0</u></b>	<b><u>0.0</u></b>
Average Inmate Census	1,574	1,600	0.0

**Agency Estimate/Governor's Recommendation**

The agency's FY 1995 revised estimate for expenditures totals \$29,221,972, a reduction of \$36,109 below the amount approved by the 1994 Legislature, as adjusted by State Finance Council action, and as further adjusted by action of the Secretary of Corrections. (**Staff Note:** Since 1992, the Secretary of Corrections has had the authority to transfer, with the approval of the Governor, State General Fund moneys from the Department of Corrections (DOC) or any facility to the DOC or any other facility.) The revised FY 1995 expenditure estimate includes \$28,663,549 from the State General Fund, \$282,258 from the State Budget Stabilization Fund, \$35,000 from special revenue funds, and \$241,165 from the Correctional Institutions Building Fund for capital improvement projects. The revised estimate is based on an average daily population of 1,574, an increase of 14 over the budgeted number.

For FY 1995, the Governor recommends operating expenditures of \$28,791,374, a reduction of \$145,598 from the amount estimated by the agency. The recommended reductions are in salaries and wages (\$119,964), and commodities (\$25,634). The recommendation includes \$28,517,951 from the State General Fund, \$282,258 from the State Budget Stabilization Fund, \$35,000 from special revenue funds. The Governor concurs with the agency's estimated expenditures of \$241,165 from the Correctional Institutions Building Fund (CIBF) for capital improvement projects. The Governor's recommendation reduces the agency's position limitation from 714.0 to 708.0.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 95</u>	<u>Senate Recommendation FY 95</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 0	\$ 28,835,209	\$ 0
Capital Improvements	0	241,165	0
<b>TOTAL</b>	<u>\$ 0</u>	<u>\$ 29,076,374</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 0	\$ 28,517,951	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<u>\$ 0</u>	<u>\$ 28,517,951</u>	<u>\$ 0</u>
FTE Positions	0.0	714.0	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<u>0.0</u>	<u>714.0</u>	<u>0.0</u>
Average Inmate Census	0	1,600	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

**SUBCOMMITTEE REPORT**

**Agency:** Lansing Correctional Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 333

**Budget Page No.** 377

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 30,586,220	\$ 29,915,047	\$ (798,479)
Capital Improvements	0	0	0
<b>TOTAL</b>	<u>\$ 30,586,220</u>	<u>\$ 29,915,047</u>	<u>\$ (798,479)</u>
State General Fund:			
State Operations	\$ 30,546,220	\$ 29,875,047	\$ (798,479)
Capital Improvements	0	0	0
<b>TOTAL</b>	<u>\$ 30,546,220</u>	<u>\$ 29,875,047</u>	<u>\$ (798,479)</u>
FTE Positions	714.0	708.0	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<u>714.0</u>	<u>708.0</u>	<u>0.0</u>
Average Inmate Census	1,766	1,878	0.0

**Agency Request/Governor's Recommendation**

For FY 1996, the agency requests total expenditures of \$30,586,220, an increase of \$1,364,248 from the revised FY 1995 estimate of total expenditures. The request includes \$30,546,220 from the State General Fund, and \$40,000 from the agency's General Fees Fund. The FY 1996 request includes funding for 714.0 FTE positions, the same number as currently authorized. The FY 1996 request is based on ADP of 1,766 (1,691 at Lansing and 75 at Osawatomie), which is an increase of 192 over the ADP of 1,574 (1,500 at Lansing and 74 at Osawatomie) in FY 1995. The FY 1995 request includes no capital improvement projects.

For FY 1996, the Governor recommends total operating expenditures of \$29,915,047, a reduction of \$671,173 from the amount requested by the agency. The recommended reductions are in salaries and wages (\$125,699), commodities (\$17,008), and capital outlay (\$528,466). The recommendation includes funding for 708.0 FTE positions, a reduction of 6.0 FTE from the number requested by the agency.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1-24

1. Delete \$785,681 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$1,540); classified step movement (\$411,245); a one percent base adjustment for classified employees (\$198,636); and the longevity bonus (\$174,260) from individual agency budgets.
2. Delete \$12,798 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHARP) system.
3. The Subcommittee wishes to commend the Wardens and staff of Ellsworth and Lansing Correctional Facilities, as well as the other correctional facilities and the Parole Services program within the Department of Corrections. All of these entities have achieved and maintained accreditation by the American Correctional Association. The Subcommittee believes that a formal Senate Resolution recognizing this achievement is appropriate.
4. The Subcommittee heard testimony about provisions of the Public Employer-Employee Relations Act and, specifically, the effect of the meet and confer provisions of the Act. An order entered by the Public Employee Relations Board (PERB) on February 16, 1994, in the case of *AFSCME v. Department of Corrections*, held that the Department of Corrections had committed a prohibited practice by refusing to meet and confer in good faith on the issue of wages and health insurance benefits. Wages and insurance benefits are conditions of employment, as defined in K.S.A. 75-4322(t), over which an employer is required to meet and confer pursuant to K.S.A. 75-4327(b). The Subcommittee believes that it was not the intent of the Legislature, through the enactment of the Act, to require state agencies in the meet and confer process to negotiate specific wages and benefit packages with the employees in a certain unit, particularly since any package agreed upon would be subject to appropriations made by the Legislature and approved by the Governor. This process often leads to confrontation and animosity between the two parties, and is an issue over which the agency has no control.

The Subcommittee was informed that a bill may be forthcoming from the Senate Commerce Committee which would remove wages and benefits from the conditions of employment over which a state agency must meet and confer. The Senate Subcommittee is very supportive of this proposal.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

1-25

<u>Expenditure Summary</u>	<u>Senate Adj. FY 96</u>	<u>Senate Recommendation FY 96</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ (798,479)	\$ 29,116,568	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u>\$ (798,479)</u></b>	<b><u>\$ 29,116,568</u></b>	<b><u>\$ 0</u></b>
State General Fund:			
State Operations	\$ (798,479)	\$ 29,076,568	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u>\$ (798,479)</u></b>	<b><u>\$ 29,076,568</u></b>	<b><u>\$ 0</u></b>
FTE Positions	0.0	708.0	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<b><u>0.0</u></b>	<b><u>708.0</u></b>	<b><u>0.0</u></b>
Average Inmate Census	0	1,878	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate, with the following observations:

1. The Subcommittee reviewed the progress of the legislation noted in item 4 of the Senate Subcommittee report regarding the meet and confer provisions of the Public Employer-Employee Relations Act. The bill, S.B. 292, remains under consideration in the Senate Commerce Committee.
  
2. The Subcommittee reviewed performance measures from all of the correctional facilities. The measures submitted by Lansing Correctional Facility have been attached to the Subcommittee report as Attachment A. These measures are typical of the performance measures included in all of the facility presentations. Copies of the performance measures reviewed from the other facilities will be made available on request.

## A. Administration

### OBJECTIVE #1:

To provide the leadership and staff support necessary for the Lansing Correctional Facility to accomplish its objectives.

### STRATEGIES:

1. Operate and maintain a personnel system in accordance with state and departmental regulations, ensuring that positions are classified appropriately and that vacant positions are filled in a timely manner.
2. Maintain a computerized budget accounting system that reflects agency expenditures for salaries and wages and the acquisition of goods and services, ensuring that facility expenditures do not exceed appropriated amounts.
3. Maintain an inventory control system in accordance with state law and regulations adopted by the Division of Accounts and Reports.
4. Procure the necessary goods and services required for the operation of the facility, ensuring that purchasing procedures are in compliance with state law and regulations adopted by the Division of Purchases.
5. Operate programs for existing and new employees that provide the training required by state law and departmental regulations.
6. Coordinate the process directed toward maintaining accreditation of the Lansing Correctional Facility by the American Correctional Association.

### OUTPUTS/OUTCOMES:

	<u>FY-1994</u>	<u>FY-1995</u>	<u>FY-1996</u>
1. Non-security turnover rate	10.8%	12%	12%
2. Security turnover rate	13.7%	15%	15%
3. Number of vouchers processed	5,986	6,000	6,000
4. Number of training programs conducted	103	138	137
5. Number of participants in training programs	1,375	1,405	1,405
6. Accreditation by the American Correctional Association	Yes	Yes	Yes
7. Percent of compliance with mandatory standards	100%	100%	100%
8. Percent of compliance with non-mandatory standards			
Central	100.0%	100.0%	100.0%
East	99.7%	99.7%	99.7%
OCF	98.5%	99.25%	99.25%
9. Average Daily Population (includes OCF)	1,479	1,600	1,878

## B. Security

### OBJECTIVE #1

To maintain an effective posture of physical/perimeter security as measured by the KDOC Security Inspection Manual and appropriate accreditation standards audits for FY96.

### STRATEGIES

1. Conduct annual security audits and correct noted deficiencies.
2. Conduct annual accreditation reviews to ensure continued compliance with standards.
3. Ensure appropriate inmate assignments according to KDOC custody classification manual.
4. Review incident reports to ensure compliance with physical/perimeter departmental and facility policies.
5. Review Facility Activity Summaries to ascertain evidence of trends/patterns.

### OUTPUTS/OUTCOMES

1. Number of escapes by security custody level.	<b>FY-1994</b>	<b>FY-1995</b>	<b>FY-1996</b>
MIN	0	2	2
MED	2	0	0
MAX	0	0	0
2. Rate of compliance with Security Inspection Manual, Section I.	92.5%	95.0%	97.5%
3. Rate of compliance with applicable non-mandatory accreditation standards			
Central	100.0%	100.0%	100.0%
East	99.7%	99.7%	99.7%
OCF	98.5%	99.3%	99.3%

## **B. Security** (cont'd)

### **OBJECTIVE #2**

To maintain an effective level of operational security as measured by the KDOC Security Inspection manual, applicable accreditation standards audits, and staff deployment audit requirements for FY 1996.

### **STRATEGIES**

1. Conduct annual security audits and correct noted deficiencies.
2. Conduct annual accreditation reviews to ensure continued compliance with standards.
3. Conduct reviews of master rostering practices to ensure continued compliance.
4. Conduct annual reviews of post orders to ensure accuracy.
5. Review incident reports to ensure compliance with operational policies.
6. Review Facility Activity Summaries to determine evidence of trends/patterns.

### **OUTPUTS/OUTCOMES**

	<b>FY-1994</b>	<b>FY-1995</b>	<b>FY-1996</b>
1. Rate of compliance with Security Inspection Manual, Section II	97.6%	98.0%	99.0%
2. Rate of compliance with applicable non-mandatory accreditation standards.	92.5%	95.0%	97.5%
3. Number of deviations from master rostering documents approved by Deputy Facility management.	2	3	0



## B. Security (cont'd)

### OBJECTIVE #3

To effectively control unsanctioned prison groups in the prison population through proper identification, tracking, intelligence gathering techniques, and management strategies.

### STRATEGIES

1. Validate gang membership through objective criteria.
2. Identify prominent gang leaders and remove them from general population.
3. Monitor marginal gang members through a central monitoring process.
4. Train staff on how to identify membership and gang related activities.
5. Maintain close control over inmate program and work opportunities where gangs can become firmly entrenched.
6. Prosecute gang related activity both administratively and criminally when possible to discourage involvement.
7. Provide gang members opportunities to exit the gang through an effective debriefing process.

### OUTPUTS/OUTCOMES

	<b>FY-1994</b>	<b>FY-1995</b>	<b>FY-1996</b>
1. Number of validated gang members as identified per IMPP 12-105.	60	70*	82
2. Number of gang related activities/disruption based on incident reports and facility activity reports.	32	30*	35

\*Projected from 6 months statistics.

1-30

## B. Security (cont'd)

### OBJECTIVE #4

To maintain a safe environment for incarcerated offenders as measured by deaths due to unnatural causes and batteries on inmates and staff for FY 1996.

### STRATEGIES

1. Ensure that inmates are properly classified and assigned to appropriate living units.
2. Conduct routine facility searches in order to locate and remove dangerous contraband.
3. Conduct random drug and alcohol tests of the inmate population.
4. Monitor inmate activities and behavior to prevent potential conflict between inmates.
5. Refer appropriate inmates for high risk placement.
6. Train staff on officer safety practices.

### OUTPUTS/OUTCOMES

	FY-1994	FY-1995	FY-1996
1. Number of positive urinalysis tests.	65	75	85
2. Number of dangerous contraband finds.	325	325	325
3. Number of inmate homicides.	0	0	0
4. Number of inmate deaths due to accidents.	0	0	0
5. Number of work related staff homicides.	0	0	0
6. Number of work related staff deaths due to accidents.	0	0	0
7. Number of inmate on inmate batteries.	22	28	33
8. Number of inmate on staff batteries.	20	30	35

1-31

## **B. Security** (cont'd)

### **OBJECTIVE #5**

To ensure proficiency in safety and emergency procedures as measured by the KDOC Security Inspection Manual and applicable mandatory accreditation standards for FY 1996.

### **STRATEGIES**

1. Conduct annual security audits and correct noted deficiencies.
2. Comply with applicable mandatory accreditation standards.
3. Maintain a Special Control and Tactics Team.
4. Review and update Emergency/Contingency Plans annually.
5. Conduct simulated/mock emergency exercises.
6. Ensure that all staff are properly trained in emergency plans and procedures.

### **OUTPUTS/OUTCOMES**

	<b>FY-1994</b>	<b>FY-1995</b>	<b>FY-1996</b>
1. Rate of compliance with Section IV of the Security Inspection Manual.	76.6%	99.6%	100%
2. Rate of compliance with applicable mandatory accreditation standards.	100%	100%	100%
3. Number of documented facility emergencies (riots, hostages, fire/smoke/explosion, inmate work stoppages).	2	2	2

1-32

## B. Security (cont'd)

### OBJECTIVE #6

To provide for the effective system-wide management of long-term involuntary segregation as measured by the KDOC Security Inspection Manual and recidivism rates of transitioned inmates in FY 1996.

### STRATEGIES

1. Implement behavior modification program for segregation inmates.
2. Conduct segregation reviews every 30 days and program/classification reviews ever 120 days.
3. Audit segregation unit operations annually.
4. Track number of incident reports generated, review, and take appropriate corrective action as needed.
5. Rotate staff assigned to segregation units as needed to ensure an alert and responsive work force.

### OUTPUTS/OUTCOMES

	FY-1994	FY-1995	FY-1996
1. Rate of compliance with Security Inspection Manual, Section III: Segregation Unit Practices.	99.7%	100%	100%
2. Number of system wide inmates requiring protective custody at LCF.	28	35	35

## C. Inmate Transportation

### OBJECTIVE #1

To provide for safe and secure transportation of inmates during inter-facility transfers and of those inmates being returned for parole violations.

### STRATEGIES

1. Conduct searches of all inmates prior to transportation.
2. Conduct inspections of all transportation vehicles in compliance with CDL regulations.
3. Track the number of inmates transported.
4. Ensure all staff are trained in security, safety and emergency procedures.
5. Review incident reports

### OUTPUT/OUTCOMES

	<u>FY-94</u>	<u>FY-95</u>	<u>FY-96</u>
1. Total number of inmates transported (by category).			
PV's (In-state)	396	416	416
PV's (Out-state)	277	285	294
In-Absentia Returns	8	8	8
Interstate Compact Moves	16	16	16
Intra-State Transfers	<u>7,257</u>	<u>7,475</u>	<u>7,699</u>
TOTAL	7,954	8,200	8,433
2. Total number of miles traveled (excluding air travel)	150,249	151,000	151,000
3. Number of inmate injuries during transfer.	0	0	0
4. Number of inmate escapes during transfer.	0	0	0
5. Number of traffic accidents/violations during transport.	0	0	0
6. Number of inmate on inmate assaults during transfer.	0	0	0
7. Number of inmate on staff assaults during transfer.	0	0	0

1-34

## D. Classification and Programs

### OBJECTIVE #1

To provide an effective behavior modification program for offenders who have violated conditions of release in order to reduce their rate of recidivism for FY 1996.

### STRATEGIES

1. Provide an austere environment based on earned privileges and incentives.
2. Provide creative programming tailored for condition violators to positively impact behavior.

### OUTPUT/OUTCOMES

	<u>FY-94</u>	<u>FY-95</u>	<u>FY-96</u>
1. Successful completion of level system while participating in program.	0	144	192*
2. Number of condition violators returning who have completed the program.	0	4	5

\* This figure is based on a capacity of 48 each serving 90 days.

1-35

## D. Classification and Programs (cont'd)

### OBJECTIVE #2

To assist inmates in preparing for post incarceration supervision as measured by the number of release plans with verified living arrangements and arrangements for inpatient treatment in FY 1996.

### STRATEGIES

1. Operate a pre-release reintegration program for inmates in need of additional transitional/community living skills.
2. Track inmate research planning as coordinated by Institutional Parole Officers.
3. Ensure inmate transportation from the holding facility to the city in which he or she is being released within Kansas.
4. Contract for halfway house living for inmates unable to develop plans with viable housing.

	FY-94	FY-95	FY-96
<u>OUTPUTS/OUTCOMES</u>			
1. Number of inmates per hundred released with identified living arrangements.	98	98	98
2. Number of inmates placed in temporary living (rescue mission, YWCA, sheltered living) because of inability to develop a release plan with residency.	28	30	34
3. Number of inmates released to a contracted halfway house placement.	14	15	17
4. Rate of use (% of ADP) of contracted halfway house beds.	2%	2%	2%
5. Number of inmates completing the pre-release reintegration program.	N/A	N/A	N/A

1-36

## D. Classification and Programs (cont'd)

### OBJECTIVE #3

To provide effective caseload management from reception to release of offenders from confinement.

### STRATEGIES

1. Participate in annual accreditation reviews to ensure continued compliance with standards.
2. Ensure appropriate inmate assignments according to KDOC custody classification manual.
3. Track and coordinate inmate release planning activities.
4. Ensure that inmates are properly classified and assigned to appropriate living units.
5. Work with records staff to verify sentence computations and to compute good time credits.
6. Conduct annual unit team audits and correct noted deficiencies.
7. Identify high risk inmates through the Central Monitoring process for appropriate management.
8. Screen and place inmates into work and program assignments.
9. Implement housekeeping plans, conduct routine inspections and correct noted deficiencies.

### OUTPUTS/OUTCOMES

	<u>FY-94</u>	<u>FY-95</u>	<u>FY-96</u>
1. Average daily population (includes OCF).	1,479	1,600	1,878
2. Number of 120 day reviews conducted.	4,221	4,566	5,359
3. Percent of compliance with standards determined by unit team management audits.	89%	95%	98%
4. Percent of compliance with standards determined by accreditation audits.	100%	100%	100%
5. Number of centrally monitored inmates.			
LCF-C	220	368	435
LCF-E	20	55	65
OCF	10	14	16

1-37



## E. Support Services

### OBJECTIVE #1

To provide clean, safe, and sanitary facilities as reflected in the number of deficiencies cited by Kansas Department of Human Resources, Kansas Department of Health and Environment, and the State Fire Marshal's Office for FY-1996.

### STRATEGIES

1. Conduct weekly and monthly sanitation, industrial, and fire safety inspections.
2. Follow-up on deficient items noted after inspections conducted by outside regulatory agencies.
3. Conduct weekly administrative walk-through/tours of facility.
4. Review implementation of facility housekeeping plan.
5. Review safety related incidents for both inmates and staff.

### OUTPUTS/OUTCOMES

	<u>FY-94</u>	<u>FY-95</u>	<u>FY-96</u>
1. Number of life safety deficiencies cited on KDHR inspections.	16	12	12
2. Number of life safety deficiencies cited on KDHE inspections.	7	6	6
3. Number of life safety deficiencies cited on SFM inspections.	2	2	2
4. Number of life safety deficiencies corrected after having been cited by outside regulatory agency inspections.	25	20	20
5. Number of accidents reported annually by staff and inmates.	360	384	433
6. Number of buildings for which maintenance has to be provided.	128	128	128

1-38

## E. Support Services (cont'd)

### OBJECTIVE #2

To provide a cost effective food service program which is compliant with accreditation standards and regulatory agency requirements for FY 1996.

### STRATEGIES

1. Provide for standardized menus and recipes.
2. Provide standardized special diet menus.
3. Conduct weekly food service inspections.
4. Conduct menu compliance audits.
5. Explore methods of reducing food waste/costs.
6. Provide for supplemental food sources by means of garden programs.

### OUTPUTS/OUTCOMES \*

	<u>FY-94</u>	<u>FY-95</u>	<u>FY-96</u>
1. Rate of compliance with accreditation standards.	100%	100%	100%
2. Percent of KDHE deficiencies regarding food service uncorrected after three months.	0%	0%	0%
3. Number of substantiated inmate grievances regarding food issues.	12	13	14
4. Number of meals (ADP).			
5. Average cost per meal (ADP).	.905	.959	1.01

\* Figures include LCF Central & East only.

1-39

## F. Osawatomie Correctional Facility

### OBJECTIVE #1

Maintain an operating inmate capacity as established by the Secretary of Corrections.

### STRATEGIES

1. Accept pre-revocation parolees per admission criteria and available bed space.
2. Keep Lansing Correctional Facility advised of OCF bed space availability, so that they can transfer minimum custody inmates as needed.
3. Maintain an average daily population which is 90% of the operating capacity as established by the Secretary of Corrections.

### OUTPUTS/OUTCOMES

	<u>FY-94</u>	<u>FY-95</u>	<u>FY-96</u>
Average daily population:	72	74	75

1-40

## F. Osawatomie Correctional Facility (cont'd)

### OBJECTIVE #2

Provide inmate labor to the Osawatomie State Hospital, state parks, counties, cities, qualifying non-profit agencies and for facility support services.

### STRATEGIES

1. Continue to provide long-term inmate labor to Osawatomie State Hospital, Kansas Wildlife and Parks, the City of Osawatomie and Miami County.
2. Continue to provide short-term inmate labor to various city, county and other qualifying non-profit agencies in accordance with IMPP 10-125.
3. Continue to use inmate labor to assist in the operation and maintenance of the facility and it's adjacent grounds.

### OUTPUTS/OUTCOMES

	<u>FY-94</u>	<u>FY-95</u>	<u>FY-96</u>
Average Daily Population	72	74	75
1. Number of hours of long-term inmate labor provided:	85,560	87,937	89,125
2. Number of hours of short-term inmate labor provided:	10,368	10,656	10,800
3. Letters of appreciation from agencies served:	6	6	6

1-41

**SUBCOMMITTEE REPORT**

**Agency:** El Dorado Correctional Facility

**Bill No.** --

**Bill Sec.** --

**Analyst:** Robinson

**Analysis Pg. No.** 303

**Budget Page No.** 177

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 15,044,664	\$ 14,886,882	\$ 0
Capital Improvements	6,828	6,828	0
TOTAL	<u>\$ 15,051,492</u>	<u>\$ 14,893,710</u>	<u>\$ 0</u>
State General Fund:			
Operating Expenditures	\$ 14,965,664	\$ 14,807,882	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 14,965,664</u>	<u>\$ 14,807,882</u>	<u>\$ 0</u>
FTE Positions	390.0	390.0	--
Special Project Appointments	0.0	0.0	--
TOTAL	<u>390.0</u>	<u>390.0</u>	<u>--</u>
Average Inmate Census	780	785	--

**Agency Estimate/Governor's Recommendation**

The FY 1995 revised operating estimate for the facility is \$15,044,664 (\$13,150,493 for the Central facility and \$1,894,171 for the North and East units) and 390.0 FTE positions (347.0 for the Central facility and 43.0 for the North and East units). The revised estimate is the same as the amount authorized by the 1994 Legislature, as adjusted by State Finance Council action, and as further adjusted by the Secretary of Corrections. (Staff Note: Since 1992, the Secretary of Corrections has had the authority to transfer, with approval of the Governor, State General Fund moneys from the Department of Corrections (DOC) or any facility to the DOC or any other facility.)

The Governor recommends FY 1995 operating expenditures of \$14,886,882, a reduction of \$157,782 from the agency's revised estimate. The recommended reductions are in salaries and wages (\$62,781) and commodities (\$95,001). In addition, the Governor concurs with the agency's estimate of \$6,828 for capital improvements.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

1-42

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 95</u>	<u>Senate Rec. FY 95</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 0	\$ 14,886,882	\$ 0
Capital Improvements	0	6,828	0
TOTAL	<u>\$ 0</u>	<u>\$ 14,893,710</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 0	\$ 14,807,882	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 0</u>	<u>\$ 14,807,882</u>	<u>\$ 0</u>
FTE Positions	0.0	390.0	0.0
Special Projects App.	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>390.0</u>	<u>0.0</u>
Average Inmate Census	0	785	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

**SUBCOMMITTEE REPORT**

**Agency:** El Dorado Correctional Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 303

**Budget Page No.** 177

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 16,445,432	\$ 15,406,458	\$ (280,187)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u>\$ 16,445,432</u></b>	<b><u>\$ 15,406,458</u></b>	<b><u>\$ (280,187)</u></b>
State General Fund:			
Operating Expenditures	\$ 16,375,315	\$ 15,336,341	\$ (280,187)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u>\$ 16,375,315</u></b>	<b><u>\$ 15,336,341</u></b>	<b><u>\$ (280,187)</u></b>
FTE Positions	413.0	390.0	--
Special Project Appointments	0.0	0.0	--
<b>TOTAL</b>	<b><u>413.0</u></b>	<b><u>390.0</u></b>	<b><u>--</u></b>
Average Inmate Census	780	785	--

**Agency Request/Governor's Recommendation**

The FY 1996 request for the El Dorado Correctional Facility is \$16,445,432, an increase of \$1,400,768, or 9.3 percent, over the revised FY 1995 estimate. The FY 1996 request would continue the current staffing level of 390.0 FTE positions (347.0 at the Central facility, and 43.0 at the North and East units) and also allow for the creation of 23.0 new FTE positions. The FY 1996 request is based on an ADP of 780 (609 at the Central facility and 171 at the North and East units). No funding is requested in the EDCF budget for capital improvements.

For FY 1996, the Governor recommends operating expenditures of \$15,406,458, a reduction of \$1,038,974 from the amount requested by the agency. The request would continue the current level of staffing of 390.0 FTE positions, a reduction of 23.0 FTE from the number requested.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. Delete \$261,045 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$1,211); classified step

*1-444*

movement (\$128,878); a one percent base adjustment for classified employees (\$104,308); and the longevity bonus (\$26,648) from individual agency budgets.

2. Delete \$19,142 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHARP) system.
3. The Subcommittee wishes to commend the Wardens and staff of El Dorado, Hutchinson, and Norton Correctional Facilities for continuing to demonstrate outstanding management of difficult offender populations within existing financial resources. With the flexibility provided to the Secretary of Corrections to shift funding and positions from facility to facility as needed, the agencies are managing to maintain efficient operations without seeking additional funding.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 96</u>	<u>Senate Rec. FY 96</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ (280,187)	\$ 15,126,271	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ (280,187)</u>	<u>\$ 15,126,271</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ (280,187)	\$ 15,056,154	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ (280,187)</u>	<u>\$ 15,056,154</u>	<u>\$ 0</u>
FTE Positions	0.0	390.0	0.0
Special Projects App.	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>390.0</u>	<u>0.0</u>
Average Inmate Census	0	785	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

1-45



**SUBCOMMITTEE REPORT**

**Agency:** Ellsworth Correctional Facility

**Bill No. --**

**Bill Sec. --**

**Analyst:** Robinson

**Analysis Pg. No. 314**

**Budget Page No. 179**

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 7,966,552	\$ 7,933,070	\$ 0
Capital Improvements	30,595	30,595	0
<b>TOTAL</b>	<u><u>\$ 7,997,147</u></u>	<u><u>\$ 7,963,665</u></u>	<u><u>\$ 0</u></u>
<b>State General Fund:</b>			
State Operations	\$ 7,955,552	\$ 7,922,970	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 7,955,552</u></u>	<u><u>\$ 7,922,970</u></u>	<u><u>\$ 0</u></u>
FTE Positions	190.5	190.5	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>190.5</u></u>	<u><u>190.5</u></u>	<u><u>0.0</u></u>
Average Inmate Census	579	579	0

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1995 estimate of expenditures totals \$7,997,147, the same as authorized by the 1994 Legislature, adjusted by the State Finance Council, and further adjusted by the action of the Secretary of Corrections. (**Staff Note:** Since 1992 the Secretary has had the discretion to transfer, with the approval of the Governor, State General Fund moneys from the Department of Corrections (DOC) or any facility to the DOC or any other facility.) The revised amount is based upon an average daily population of 579, an increase of 4 from the budgeted amount.

The Governor's FY 1995 recommendation for operating expenditures totals \$7,933,070, a reduction of \$33,482 from the amount requested by the agency. The recommendation includes reductions in the agency's estimate for salaries and wages (\$32,618), and commodities (\$864).

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

1-46

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>House Adj. FY 95</u>	<u>House Rec. FY 95</u>	<u>House Subc. Adj.</u>
All Funds:			
State Operations	\$ 0	\$ 7,933,070	\$ 0
Capital Improvements	0	30,595	0
TOTAL	<u>\$ 0</u>	<u>\$ 7,963,665</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 0	\$ 7,922,970	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 0</u>	<u>\$ 7,922,970</u>	<u>\$ 0</u>
FTE Positions	0.0	190.5	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>190.5</u>	<u>0.0</u>
Average Inmate Census	0	579	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

**SUBCOMMITTEE REPORT**

**Agency:** Ellsworth Correctional Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 314

**Budget Page No.** 179

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 8,691,629	\$ 8,315,173	\$ (146,072)
Capital Improvements	0	0	0
<b>TOTAL</b>	<u>\$ 8,691,629</u>	<u>\$ 8,315,173</u>	<u>\$ (146,072)</u>
<b>State General Fund:</b>			
State Operations	\$ 8,684,129	\$ 8,307,673	\$ (146,072)
Capital Improvements	0	0	0
<b>TOTAL</b>	<u>\$ 8,684,129</u>	<u>\$ 8,307,673</u>	<u>\$ (146,072)</u>
FTE Positions	199.5	190.5	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<u>199.5</u>	<u>190.5</u>	<u>0.0</u>
Average Inmate Census	571	579	0

**Agency Request/Governor's Recommendation**

The agency request for FY 1996 for state operations totals \$8,691,629, of which \$8,684,129 is from the State General Fund and \$7,500 is from the agency's General Fees Fund. The FY 1996 request contains salaries and wages funding of \$6,488,830 which would support 199.5 FTE positions, an increase of 9.0 FTE positions over the 190.5 approved for FY 1995. The budget is based on an average daily population (ADP) of 571, a reduction of 8 from the revised FY 1995 level. The Department of Corrections indicates that a total of \$1,858,000 will be needed for debt service in FY 1996 on the bonds issued for construction of the facility. Funding in that amount is requested in the budget of the Department of Corrections.

The Governor's FY 1996 recommendation for operating expenditures totals \$8,315,173, a reduction of \$374,456 from the amount requested by the agency. The recommendation includes reductions in the agency's request for salaries and wages (\$227,681), commodities (\$56,759), and capital outlay (\$92,016). The recommendation includes funding of \$8,307,673 from the State General Fund. The Governor does not recommend the addition of any new FTE positions.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. Delete \$133,274 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$1,240); classified step movement (\$63,769); a one percent base adjustment for classified employees (\$53,502); and the longevity bonus (\$14,762) from individual agency budgets.
2. Delete \$12,798 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHaRP) system.
3. The Subcommittee wishes to commend the Wardens and staff of Ellsworth and Lansing Correctional Facilities, as well as the other correctional facilities and the Parole Services program within the Department of Corrections. All of these entities have achieved and maintained accreditation by the American Correctional Association. The Subcommittee believes that a formal Senate Resolution recognizing this achievement is appropriate.
4. The Subcommittee discussed at length issues relating to conditional parole violators, the inmates housed primarily at Ellsworth Correctional Facility. Under the Sentencing Guidelines Act, the length of time a condition violator serves is determined by the Kansas Parole Board. This period, however, may not exceed 90 days from the final revocation hearing. There have been many concerns expressed both in the community and in the facility concerning the effectiveness of the 90-day provision as a deterrent to the violation of conditions. The 90-day provision does not appear sufficient to deter those on postrelease supervision from violating postrelease conditions, and does not act to deter those, who upon their return to prison, realize that, regardless of their behavior, they will be released in 90 days. The Department is preparing to suggest legislation to modify the 90-day provision, and the Senate Subcommittee recommends that the House Subcommittee review the progress of this proposed legislation during the House Subcommittee's review of the this agency's budget.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 96</u>	<u>Senate Rec. FY 96</u>	<u>House Subc. Adj.</u>
All Funds:			
State Operations	\$ (146,072)	\$ 8,169,101	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ (146,072)</u>	<u>\$ 8,169,101</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ (146,072)	\$ 8,161,601	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ (146,072)</u>	<u>\$ 8,161,601</u>	<u>\$ 0</u>
FTE Positions	0.0	190.5	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>190.5</u>	<u>0.0</u>
Average Inmate Census	0	579	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate, with the following observations:

1. As requested by the Senate Subcommittee, the Subcommittee reviewed the progress of legislation regarding the 90-day incarceration provision for conditional parole violators. S.B. 360, which has passed the Senate, has been referred to the House Judiciary Committee. The bill extends the maximum time for confinement for violators of postrelease supervision from 90 to 180 days. The period of confinement may be reduced by not more than 90 days based on the inmate's conduct, work, and program participation. The House Subcommittee is very supportive of this proposal.
  
2. The Subcommittee received information concerning specifics of the parole violator program at Ellsworth Correctional Facility. The focus of the parole violators program is not to integrate such offenders into the prison system but is, instead, to reintegrate the offender into the community. To reinforce the importance of conditions of release, condition violators at ECF have fewer privileges and a more restricted environment. There are restrictions on: outside funds placed in an inmate's account; the purchase of electronic equipment; the amount of canteen purchases; visitation; and incentive pay. Violators returned more than once have their privileges reduced even further. Inmates who refuse to participate in recommended work programs or other programs are allowed even fewer privileges than those described above. The Subcommittee approves of the system in place, and commends the DOC initiatives committee responsible for the development of the program.

1-50A

**SUBCOMMITTEE REPORT**

**Agency:** Hutchinson Correctional Facility

**Bill No. --**

**Bill Sec. --**

**Analyst:** Robinson

**Analysis Pg. No. 322**

**Budget Page No. 303**

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 21,408,185	\$ 21,339,548	\$ 0
Capital Improvements	528,415	528,415	0
TOTAL	<u>\$ 21,936,600</u>	<u>\$ 21,867,963</u>	<u>\$ 0</u>
State General Fund:			
Operating Expenditures	\$ 21,141,335	\$ 21,072,698	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 21,141,335</u>	<u>\$ 21,072,698</u>	<u>\$ 0</u>
FTE Positions	521.0	521.0	--
Special Project Appointments	0.0	0.0	--
TOTAL	<u>521.0</u>	<u>521.0</u>	<u>--</u>
Average Inmate Census	1,485	1,489	--

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1995 operating expenditures estimate is \$21,408,185, which is \$17,133 below the budget approved by the 1994 Legislature, as adjusted by State Finance Council action, and further adjusted by the Secretary of Corrections. (Staff Note: Since 1992, the Secretary has had the authority to transfer, with the approval of the Governor, State General Fund moneys from the Department of Corrections (DOC) or any facility to the DOC or any other facility.) The agency's revised FY 1995 estimate is based on an average daily inmate population (ADP) of 1,485, an increase of 75 over the ADP originally approved. The revised FY 1995 estimate will support 521.0 FTE positions, the number currently authorized. Capital improvement expenditures of \$528,415 are also included in the revised FY 1995 budget.

The Governor recommends FY 1995 operating expenditures of \$21,339,548, a reduction of \$68,637 from the amount estimated by the agency. The recommended reduction is entirely in salaries and wages and reflects health insurance rate revisions. The Governor concurs with the agency's revised estimate for capital improvement expenditures.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 95</u>	<u>Senate Recommendation FY 95</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 0	\$ 21,339,548	\$ 0
Capital Improvements	0	528,415	0
TOTAL	<u>\$ 0</u>	<u>\$ 21,867,963</u>	<u>\$ 0</u>
State General Fund:			
Operating Expenditures	\$ 0	\$ 21,072,698	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 0</u>	<u>\$ 21,072,698</u>	<u>\$ 0</u>
FTE Positions	0.0	521.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>521.0</u>	<u>0.0</u>
Average Inmate Census	0	1,489	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

**SUBCOMMITTEE REPORT**

**Agency:** Hutchinson Correctional Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 322

**Budget Page No.** 303

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 22,799,832	\$ 21,977,570	\$ (477,198)
Capital Improvements	685,004	0	0
TOTAL	<u>\$ 23,484,836</u>	<u>\$ 21,977,570</u>	<u>\$ (477,198)</u>
State General Fund:			
Operating Expenditures	\$ 22,539,832	\$ 21,714,824	\$ (474,034)
Capital Improvements	0	0	0
TOTAL	<u>\$ 22,539,832</u>	<u>\$ 21,714,824</u>	<u>\$ (474,034)</u>
FTE Positions	526.0	521.0	--
Special Project Appointments	0.0	0.0	--
TOTAL	<u>526.0</u>	<u>521.0</u>	<u>--</u>
Average Inmate Census	1,486	1,491	--

**Agency Request/Governor's Recommendation**

The agency requests operating expenditures of \$22,799,832 in FY 1996. Funding for state operations is almost entirely from the State General Fund (\$22,539,832). State General Fund resources are requested to increase by \$1,398,497, or 6.6 percent. The General Fees Fund of the agency is requested at \$260,000. The FY 1996 request contains funding for 526.0 FTE positions, an increase of 5.0 FTE over the number currently authorized. The agency projects an average daily inmate population of 1,486 in FY 1996, an increase of one over the revised level for FY 1995.

The Governor recommends FY 1996 operating expenditures of \$21,977,570, a reduction of \$822,262 from the amount requested by the agency. The Governor's recommendation includes reductions in: salaries and wages (\$134,248); contractual services (\$3,900); commodities (\$34,699); and capital outlay (\$649,415). The Governor does not recommend the addition of the requested new FTE positions. The Governor's recommendation includes \$21,714,824 from the State General Fund and \$262,746 from other funds.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1-53



1. Delete \$452,008, including \$448,844 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$1,231); classified step movement (\$201,457); a one percent base adjustment for classified employees (\$146,216); and the longevity bonus (\$103,104) from individual agency budgets.
2. Delete \$25,190 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHARP) system.
3. The Subcommittee wishes to commend the Wardens and staff of El Dorado, Hutchinson, and Norton Correctional Facilities for continuing to demonstrate outstanding management of difficult offender populations within existing financial resources. With the flexibility provided to the Secretary of Corrections to shift funding and positions from facility to facility as needed, the agencies are managing to maintain efficient operations without seeking additional funding.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 96</u>	<u>Senate Rec. FY 96</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ (477,198)	\$ 21,500,372	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ (477,198)</u>	<u>\$ 21,500,372</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ (474,034)	\$ 21,240,790	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ (474,034)</u>	<u>\$ 21,240,790</u>	<u>\$ 0</u>
FTE Positions	0.0	521.0	0.0
Special Projects App.	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>0.0</u>	<u>521.0</u>	<u>0.0</u>
Average Inmate Census	0	1,491	0

1-54

### **House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate, with the following observation:

1. The Subcommittee was informed that Warden Robert D. Hannigan was selected Warden of the Year by the North American Association of Wardens and Superintendents. This award is the most recent award to be presented to Warden Hannigan during his 35-year career with the Kansas Department of Corrections, and the Subcommittee congratulates him on the accomplishment.

**SUBCOMMITTEE REPORT**

**Agency:** Larned Correctional Mental Health Facility      **Bill No. --**      **Bill Sec. --**

**Analyst:** Robinson      **Analysis Pg. No. 343**      **Budget Page No. 379**

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 5,889,757	\$ 5,857,000	\$ 0
Capital Improvements:			
Correctional Institutions			
Building Fund	201	201	0
TOTAL	<u>\$ 5,889,958</u>	<u>\$ 5,857,201</u>	<u>\$ 0</u>
FTE Positions	174.0	174.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>174.0</u>	<u>174.0</u>	<u>0.0</u>
Average Inmate Census	144	144	0

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1995 estimate of operating expenditures totals \$5,889,757, the approved amount. The agency's revised estimate is based on an average daily population (ADP) of 144, an increase of 4 over the ADP approved for FY 1995. The estimate includes funding for 174.0 FTE positions, a reduction of 1.0 FTE from the number authorized by the 1994 Legislature. A clerical position was transferred from Larned to Ellsworth Correctional Facility.

For FY 1995, the Governor recommends operating expenditures of \$5,857,000, a reduction of \$32,757 from the amount estimated by the agency. The Governor recommends reductions in salaries and wages (\$23,737) and commodities (\$9,020). The reduction in salaries and wages reflects revised health insurance rates.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

**Senate Committee Recommendation**

Concur.

1-56

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 95</u>	<u>Senate Recommendations FY 95</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 0	\$ 5,857,000	\$ 0
Capital Improvements:			
Correctional Institutions			
Building Fund	0	201	0
TOTAL	<u>\$ 0</u>	<u>\$ 5,857,201</u>	<u>\$ 0</u>
FTE Positions	0.0	174.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>174.0</u>	<u>0.0</u>
Average Inmate Census	0	144	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

## SUBCOMMITTEE REPORT

**Agency:** Larned Correctional Mental Health Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 343

**Budget Page No.** 379

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 6,174,838	\$ 6,077,171	\$ (131,646)
Capital Improvements:			
Correctional Institutions			
Building Fund	0	0	0
TOTAL	<u>\$ 6,174,838</u>	<u>\$ 6,077,171</u>	<u>\$ (131,646)</u>
FTE Positions	174.0	174.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>174.0</u>	<u>174.0</u>	<u>0.0</u>
Average Inmate Census	140	140	0

### Agency Request/Governor's Recommendation

For FY 1996, the agency requests total operating expenditures of \$6,174,838. The request is composed of \$5,463,979 for salaries and wages, \$380,300 for contractual services, \$206,480 for commodities, and \$124,079 for capital outlay. The agency's request would support 174.0 FTE positions (the number currently authorized) and would support an ADP of 140, a reduction of 4 from the revised FY 1995 estimate.

The Governor recommends FY 1996 expenditures of \$6,077,171, a reduction of \$97,667 from the amount requested by the agency. The Governor's recommendation includes funding of \$5,478,270 for salaries and wages (an increase of \$14,291 over the amount requested), \$373,840 for contractual services (a reduction of \$6,460 from the agency's request), \$186,420 for commodities (a reduction of \$20,060), and \$38,641 for capital outlay (a reduction of \$85,438). The Governor's recommendation includes step movement and a 1.0 percent base salary adjustment for classified employees and a 3.5 percent unclassified merit pool.

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. Delete \$131,646 from the State General Fund based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$2,302); classified step movement (\$60,458); a one percent base adjustment for classified employees (\$46,308); and the longevity bonus (\$22,578) from individual agency budgets.

2. The Subcommittee is extremely concerned with the situation facing the Department of Corrections (DOC) regarding the housing of civilly committed sex predators. There are currently two civilly committed sex predators and those individuals are now housed at Larned State Hospital (LSH). There is essentially no space for any additional sex predators in the existing space at LSH. In addition, the population at the Larned Correctional Mental Health Facility (LCMHF) has been consistently at or near capacity. 1994 S.B. 525 requires that, after June 1, 1995, civilly committed sex predators be housed in a facility or building separate from any other patient under the supervision of the Secretary of Social and Rehabilitation Services. Both SRS and DOC are exploring several different alternatives for the housing of sex predators. Among those that the Subcommittee discussed with the Secretary of Corrections are the following:

- There is the possibility of screening off a portion of one 30-bed pod at the Larned Correctional Mental Health Facility for use as housing for sex predators. The Department does not want to mix predators with inmates, and notes that some type of security screen in one of the existing pods would create the opportunity for serious security breaches. The Department does not recommend this alternative.
- The Department indicated that another building at LSH may be available for housing sex predators. The structure, Jenkins Building was described by the Department as the equivalent of a minimum security correctional facility. The building is not presently secure enough for housing violent offenders. At a minimum, the installation of perimeter fencing and two guard towers would be required. The Department indicates that this would require a minimum DOC staffing complement of approximately 15 FTE positions.
- Under the provisions of the 1989 federal male court order, the Department of Corrections is guaranteed bedspace for 74 inmates in the Dillon Building at LSH. DOC is currently housing only 25-30 inmates in this space, and district courts have started using more of the bedspace. The Department has consulted with the Office of Judicial Administration seeking cooperation in the placement of court commitments in that space.
- Another alternative would be for LSH to discontinue the Chemical Dependency Recovery Program (CDRP) which provides treatment to 43 DOC inmates. The Department sees the program as extremely valuable to inmates and does not want to see the program discontinued. According to the Department, should this action be taken, the Department would propose shifting the funding for the CDRP to the DOC budget and allow for the operation of the program at another facility.
- The Department is in the early stages of formulating a plan which would involve DOC acquisition of Rush Building at Osawatomie State Hospital. The plan would involve moving the 80 inmates of the Osawatomie Correctional Facility from the building which currently houses the facility to the Rush Building. In addition, the 43 bed CDRP could be shifted from Larned State Hospital to the Rush Building at Osawatomie State Hospital. After the

move, there could still be as many as 80 to 130 beds available in the Rush Building. This would free up 43 beds at Larned State Hospital and would allow for the transfer of inmates from an existing pod at Larned Correctional Mental Health Facility to Larned State Hospital. This would, in turn, free a 30-bed pod at the LCMHF for the housing of sex predators. While all of this could not be accomplished by June 1, the Department indicates that a temporary cessation of the CDRP program would be acceptable as long as the program would resume.

- The Department of Corrections, in its FY 1996 budget submission, has requested a total of \$6,044,000 from the State General Fund for construction of a 90 bed addition to the Larned Correctional Mental Health Facility to be used to house sex predators. In addition, \$600,000 is included in the FY 1995 budget for preliminary planning for the addition. This alternative, which would take approximately 24 months to complete, would obviously not address the pressing short-term need for space.
- Another option would be to change the statutory provision which requires complete separation of predators from other SRS patients by June 1. This would not, however, eliminate the space problem which would be created by the commitment of any additional predators to the program.

The Subcommittee believes that the option regarding acquisition of Rush Building at Osawatomie State Hospital is the soundest alternative currently under consideration. The Subcommittee is aware that the Department is in the early discussion stage and recommends that the agency follow through with this option in consultation with the Department of Social and Rehabilitation Services. The Department should report to the House Subcommittee regarding progress made on the plan.

3. The Subcommittee notes that the budget recommended for the facility is an austere one and believes that, given public safety concerns, and the uncertainty regarding the long-term impact of sentencing guidelines, the budget should not be reduced further.

### **Senate Committee Recommendation**

The Senate Committee concurs with the recommendations of the Subcommittee with the following adjustments:

1. The Senate Committee commends the Wardens and staff of Larned Correctional Mental Health Facility and Winfield Correctional Facility for continuing to demonstrate outstanding management of difficult offender populations within existing financial resources. With the flexibility provided by the Secretary of Corrections to shift funding and positions from facility to facility as needed, the agencies are managing to maintain efficient operations without seeking additional funding.

2. The Senate Committee amends item 2 above to recommend that, in addition to working together on solutions for the housing of sex predators, the Department of Corrections and the Department of Social and Rehabilitation Services cooperate in a project to evaluate all of the mental health and mental retardation hospitals for potential future use as correctional facilities. In addition, the Committee notes that the additional bed space which would be available in the Rush Building at Osawatomie State Hospital would also be suitable for housing technical parole violators.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 96</u>	<u>Senate Recommendations FY 96</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ (131,646)	\$ 5,945,525	\$ (15,431)
Capital Improvements:			
Correctional Institutions			
Building Fund	0	0	0
TOTAL	<u>\$ (131,646)</u>	<u>\$ 5,945,525</u>	<u>\$ (15,431)</u>
FTE Positions	0.0	174.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>174.0</u>	<u>0.0</u>
Average Inmate Census	0	140	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate, with the following adjustment:

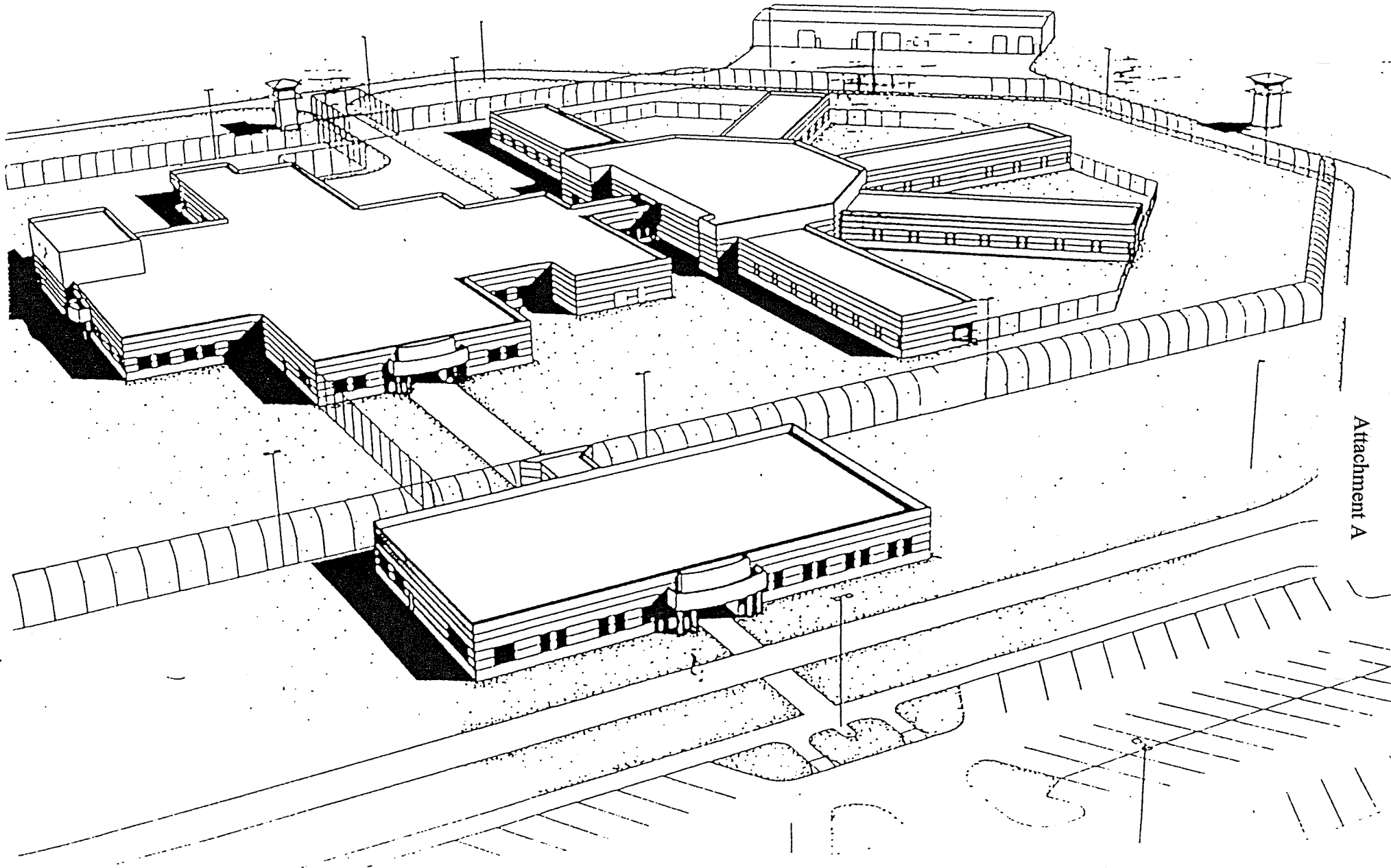
1. Delete \$15,431 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHARP) system. The Senate removed funding for SHARP from all of the correctional facility budgets with the exception of Larned Correctional Mental Health Facility and Winfield Correctional Facility. It appears that this was an oversight, and for consistency, the Subcommittee recommends the deletion of this funding.
2. The Subcommittee reviewed the issues raised by the Senate with regard to the housing of civilly committed sexual predators. There are currently three committed predators, and the Department of Social and Rehabilitation Services (SRS) and DOC

1-61



have agreed to house the predators in a wing at the Larned Correctional Mental Health Facility. Space will be made available as needed for the housing of sexual predators to a maximum of 30. This will eventually dedicate one wing of the five 30-bed wing to the housing of sex predators. When the wing is completely dedicated to the housing of sex predators, it will provide for at least basic separation of the predator population from the inmate population. Attachment A reflects the layout of the facility and demonstrates the separate nature of the five 30-bed wings. 1995 S.B. 3, which has passed the Senate, provides for the separation of the inmate and predator population, and the Subcommittee is supportive of those provisions of the bill.

The Subcommittee notes that acquisition of the Rush Building at Osawatomie State Hospital, as discussed in item 2 of the Senate Subcommittee report, is no longer considered a feasible option by the Department of Corrections.



Attachment A

1-63

**SUBCOMMITTEE REPORT**

**Agency:** Norton Correctional Facility

**Bill No. --**

**Bill Sec. --**

**Analyst:** Robinson

**Analysis Pg. No. 351**

**Budget Page No. 413**

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 9,940,789	\$ 9,874,054	\$ 0
Capital Improvements	99,989	99,989	0
TOTAL	<u>\$ 10,040,778</u>	<u>\$ 9,974,043</u>	<u>\$ 0</u>
State General Fund:			
Operating Expenditures	\$ 9,932,789	\$ 9,866,054	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 9,932,789</u>	<u>\$ 9,866,054</u>	<u>\$ 0</u>
FTE Positions	252.0	252.0	--
Special Project Appointments	0.0	0.0	--
TOTAL	<u>252.0</u>	<u>252.0</u>	<u>--</u>
Average Inmate Census	584	584	--

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1995 operating expenditures estimate is \$9,940,789, which is \$49,500 less than the amount approved by the 1994 Legislature, as adjusted by State Finance Council action, and further adjusted by the Secretary of Corrections. (Staff Note: Since 1992, the Secretary has had the authority to transfer, with the approval of the Governor, State General Fund moneys from the Department of Corrections (DOC) or any facility to DOC or any other facility.) The agency's revised FY 1995 estimate is based on an average daily inmate population (ADP) of 584, an increase of 44 over the ADP originally approved. The FY 1995 revised estimate will support 252.0 FTE positions, the number currently authorized. Capital improvement expenditures of \$99,989 (from the Correctional Institutions Building Fund) are also included in the agency's revised estimate.

For FY 1995, the Governor recommends operating expenditures of \$9,874,054, a reduction of \$66,735 from the amount estimated by the agency. The recommended reductions are in salaries and wages (\$32,229), contractual services (\$10,304), and commodities (\$24,202). The Governor concurs with the agency's estimate of \$99,989 for capital improvement projects.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 95</u>	<u>Senate Recommendation FY 95</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 0	\$ 9,874,054	\$ 0
Capital Improvements	0	99,989	0
TOTAL	<u>\$ 0</u>	<u>\$ 9,974,043</u>	<u>\$ 0</u>
State General Fund:			
Operating Expenditures	\$ 0	\$ 9,866,054	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 0</u>	<u>\$ 9,866,054</u>	<u>\$ 0</u>
FTE Positions	0.0	252.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>252.0</u>	<u>0.0</u>
Average Inmate Census	0	584	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

**SUBCOMMITTEE REPORT**

**Agency:** Norton Correctional Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 351

**Budget Page No.** 413

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 10,838,286	\$ 10,210,620	\$ (236,891)
Capital Improvements	0	0	0
TOTAL	<u>\$ 10,838,286</u>	<u>\$ 10,210,620</u>	<u>\$ (236,891)</u>
State General Fund:			
Operating Expenditures	\$ 10,830,286	\$ 10,202,620	\$ (236,891)
Capital Improvements	0	0	0
TOTAL	<u>\$ 10,830,286</u>	<u>\$ 10,202,620</u>	<u>\$ (236,891)</u>
FTE Positions	259.0	252.0	--
Special Project Appointments	0.0	0.0	--
TOTAL	<u>259.0</u>	<u>252.0</u>	<u>--</u>
Average Inmate Census	567	584	--

**Agency Request/Governor's Recommendation**

The agency requests operating expenditures of \$10,838,286 in FY 1996. Funding for state operations is almost entirely from the State General Fund (\$10,830,286). State General Fund resources are requested to increase by \$897,497, or 9.0 percent. The General Fees Fund of the agency is requested at \$8,000. The FY 1996 request contains funding for 259.0 FTE positions, an increase of 7.0 FTE over the number currently authorized. The agency projects an average daily inmate population of 567 in FY 1996, a reduction of 17 over the revised level for FY 1995.

The Governor's FY 1996 recommendation for operating expenditures totals \$10,210,620, a reduction of \$627,666 from the agency's request. The reductions are recommended in: salaries and wages (\$181,156); commodities (\$120,879); and capital outlay (\$351,125). The Governor's recommendation for contractual services is an increase of \$25,494 over the amount requested by the agency. The Governor's recommendation would fund 252.0 FTE positions, a reduction of 7.0 from the number requested.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. Delete \$224,183 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$0); classified step

1-66

movement (\$110,793); a one percent base adjustment for classified employees (\$67,617); and the longevity bonus (\$45,773) from individual agency budgets.

2. Delete \$12,708 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHARP) system.
3. The Subcommittee wishes to commend the Wardens and staff of El Dorado, Hutchinson, and Norton Correctional Facilities for continuing to demonstrate outstanding management of difficult offender populations within existing financial resources. With the flexibility provided to the Secretary of Corrections to shift funding and positions from facility to facility as needed, the agencies are managing to maintain efficient operations without seeking additional funding.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 96</u>	<u>Senate Recommendation FY 96</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ (236,891)	\$ 9,973,729	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u>\$ (236,891)</u></b>	<b><u>\$ 9,973,729</u></b>	<b><u>\$ 0</u></b>
State General Fund:			
Operating Expenditures	\$ (236,891)	\$ 9,965,729	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u>\$ (236,891)</u></b>	<b><u>\$ 9,965,729</u></b>	<b><u>\$ 0</u></b>
FTE Positions	0.0	252.0	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<b><u>0.0</u></b>	<b><u>252.0</u></b>	<b><u>0.0</u></b>
Average Inmate Census	0	584	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.

1-67

**SUBCOMMITTEE REPORT**

Agency: Topeka Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 361

Budget Page No. 503

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 11,882,707	\$ 11,800,660	\$ 0
Capital Improvements	176,787	176,787	0
TOTAL	<u>\$ 12,059,494</u>	<u>\$ 11,977,447</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 11,810,889	\$ 11,728,842	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 11,810,889</u>	<u>\$ 11,728,842</u>	<u>\$ 0</u>
FTE Positions	299.0	299.0	0.0
Special Project Appointments	2.0	2.0	0.0
TOTAL	<u>301.0</u>	<u>301.0</u>	<u>0.0</u>
Average Inmate Census	591	591	0

**Agency Estimate/Governor's Recommendation**

The agency's FY 1995 revised estimate of operating expenditures totals \$11,882,707, a reduction of \$12,699 from the amount approved by the 1994 Legislature, as adjusted by State Finance Council action, and as further adjusted by the Secretary of Corrections. (Staff Note: Since 1992, the Secretary has had the authority to transfer, with the approval of the Governor, State General Fund moneys from the Department of Corrections (DOC) or any facility to the DOC or any other facility.) The approved budget reflects adjustments approved by the Secretary, including the shift of 11.0 FTE positions and associated funding from the Lansing Correctional Facility to the Topeka Correctional Facility. The agency's revised FY 1995 estimate is based on an average daily inmate population (ADP) of 591, an increase of 24 above the approved FY 1995 ADP of 567.

For FY 1995, the Governor recommends operating expenditures of \$11,800,660, a reduction of \$82,047 from the agency's revised estimate. The Governor recommends reductions in salaries and wages (\$37,188), contractual services (\$18,328), commodities (\$26,531). The Governor concurs with the agency's estimate of \$176,787 for capital improvements.

1-68

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 95</u>	<u>Senate Rec. FY 95</u>	<u>House Subc. Adj.</u>
All Funds:			
State Operations	\$ 0	\$ 11,800,660	\$ 0
Capital Improvements	0	176,787	0
TOTAL	<u>\$ 0</u>	<u>\$ 11,977,447</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 0	\$ 11,728,842	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 0</u>	<u>\$ 11,728,842</u>	<u>\$ 0</u>
FTE Positions	0.0	299.0	0.0
Special Project Appointments	0.0	2.0	0.0
TOTAL	<u>0.0</u>	<u>301.0</u>	<u>0.0</u>
Average Inmate Census	0	591	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate.



**SUBCOMMITTEE REPORT**

**Agency:** Topeka Correctional Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 361

**Budget Page No.** 503

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 12,642,730	\$ 12,098,622	\$ (336,538)
Capital Improvements	262,376	262,376	0
<b>TOTAL</b>	<b>\$ 12,905,106</b>	<b>\$ 12,360,998</b>	<b>\$ (336,538)</b>
<b>State General Fund:</b>			
State Operations	\$ 12,570,435	\$ 12,026,327	\$ (334,616)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 12,570,435</b>	<b>\$ 12,026,327</b>	<b>\$ (334,616)</b>
FTE Positions	306.0	299.0	0.0
Special Project Appointments	2.0	2.0	0.0
<b>TOTAL</b>	<b>308.0</b>	<b>301.0</b>	<b>0.0</b>
Average Inmate Census	604	652	0

**Agency Request/Governor's Recommendation**

For FY 1996, the agency requests total operating expenditures of \$12,642,730, an increase of \$790,023 over the revised FY 1995 estimate of \$11,882,707 for operating expenditures. The requested funding is almost entirely from the State General Fund (\$12,570,435), with the agency's General Fees Fund budgeted at \$10,000 and federal Community Block Grant funding expected at \$62,295. The FY 1996 request includes 306.0 FTE positions, an increase of 7.0 FTE from the number currently authorized. The agency budget would support an ADP of 604, and increase of 13 over the 591 estimated for FY 1995. The agency also requests capital improvement expenditures of \$262,376 from the Correctional Institutions Building Fund (CIBF) for the expansion of the facility's General Services Building.

The Governor recommends FY 1996 operating expenditures of \$12,098,622, a reduction of \$544,108 from the amount requested by the agency. The Governor recommends \$10,106,000 for salaries and wages (a reduction of \$158,479 from the amount requested), \$630,996 for contractual services (a reduction of \$20,735), \$1,252,130 for commodities (a reduction of \$56,898), and \$109,496 for capital outlay (a reduction of \$307,996 from the amount requested). The Governor concurs with the agency's capital improvement request of \$262,376.

1-70

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. Delete \$320,342, including \$318,420 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$6,965); classified step movement (\$139,519); a one percent base adjustment for classified employees (\$85,368); and the longevity bonus (\$88,490) from individual agency budgets.
2. Delete \$16,196 from the State General Fund for costs associated with the Statewide Human Resource and Payroll (SHARP) system.

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 96</u>	<u>Senate Rec. FY 96</u>	<u>House Subc. Adj.</u>
All Funds:			
State Operations	\$ (336,538)	\$ 12,098,622	\$ 0
Capital Improvements	0	262,376	0
TOTAL	<u>\$ (336,538)</u>	<u>\$ 12,360,998</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ (334,616)	\$ 12,026,327	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ (334,616)</u>	<u>\$ 12,026,327</u>	<u>\$ 0</u>
FTE Positions	0.0	299.0	0.0
Special Project Appointments	0.0	2.0	0.0
TOTAL	<u>0.0</u>	<u>301.0</u>	<u>0.0</u>
Average Inmate Census	0	652	0

111

### House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate, with the following observation:

1. The House Subcommittee, in concurring with the commendations of the Senate Subcommittee for the Wardens and staff of the correctional facilities, adds its commendation for the Warden and staff at Topeka Correctional Facility. The lack of commendation for TCF on the part of the Senate was apparently an oversight. TCF provides excellent supervision of a very diverse inmate population and the Subcommittee commends the facility on its continued fine operation.

1.72

**SUBCOMMITTEE REPORT**

**Agency:** Winfield Correctional Facility

**Bill No.** --

**Bill Sec.** --

**Analyst:** Robinson

**Analysis Pg. No.** 373

**Budget Page No.** 567

<u>Expenditure Summary</u>	<u>Agency Estimate FY 95</u>	<u>Governor's Recommendation FY 95</u>	<u>Senate Subcommittee Adjustments</u>
<b>All Funds:</b>			
Operating Expenditures	\$ 3,937,742	\$ 3,908,159	\$ 0
Capital Improvements	8,415	8,415	0
<b>TOTAL</b>	<u><u>\$ 3,946,157</u></u>	<u><u>\$ 3,916,574</u></u>	<u><u>\$ 0</u></u>
<b>State General Fund:</b>			
Operating Expenditures	\$ 3,868,789	\$ 3,839,206	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 3,868,789</u></u>	<u><u>\$ 3,839,206</u></u>	<u><u>\$ 0</u></u>
<b>FTE Positions</b>	105.0	105.0	0.0
<b>Special Project Appointments</b>	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>105.0</u></u>	<u><u>105.0</u></u>	<u><u>0.0</u></u>
<b>Average Inmate Census</b>	280	280	0

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1995 estimate of operating expenditures totals \$3,937,742, the amount authorized by the 1994 Legislature, as adjusted by State Finance Council action, and further adjusted by the Secretary of Corrections. (**Staff Note:** Since 1992, the Secretary has had the discretion to transfer, with the approval of the Governor, State General Fund moneys from the Department of Corrections or any facility to the DOC or any other facility.) The revised estimate is based on an average daily inmate population of 280 (an increase of 55 from the approved amount), and 105.0 FTE positions.

For FY 1995, the Governor recommends FY 1995 operating expenditures of \$3,908,159, a reduction of \$29,583 from the amount estimated by the agency. The recommendation includes reductions in salaries and wages (\$23,311) and commodities (\$6,272). The Governor concurs with the agency's estimate of \$8,415 for capital improvements in FY 1995.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor.

1-73

**Senate Committee Recommendation**

Concur.

**Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 95</u>	<u>Senate Recommendation FY 95</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 0	\$ 3,908,159	\$ 0
Capital Improvements	0	8,415	0
TOTAL	<u>\$ 0</u>	<u>\$ 3,916,574</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 0	\$ 3,839,206	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 0</u>	<u>\$ 3,839,206</u>	<u>\$ 0</u>
FTE Positions	0.0	105.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>105.0</u>	<u>0.0</u>
Average Inmate Census	0	280	0

**House Subcommittee Recommendations**

The House Subcommittee concurs with the recommendation of the Senate.

1-74

**SUBCOMMITTEE REPORT**

**Agency:** Winfield Correctional Facility

**Bill No.** 71

**Bill Sec.** 2

**Analyst:** Robinson

**Analysis Pg. No.** 373

**Budget Page No.** 567

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
Operating Expenditures	\$ 4,309,862	\$ 4,014,657	\$ (92,584)
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 4,309,862</u></u>	<u><u>\$ 4,014,657</u></u>	<u><u>\$ (92,584)</u></u>
State General Fund:			
Operating Expenditures	\$ 4,238,856	\$ 3,943,651	\$ (90,732)
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 4,238,856</u></u>	<u><u>\$ 3,943,651</u></u>	<u><u>\$ (90,732)</u></u>
FTE Positions	110.0	105.0	0.0
Special Project Appointments	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>110.0</u></u>	<u><u>105.0</u></u>	<u><u>0.0</u></u>
Average Inmate Census	267	285	0

**Agency Request/Governor's Recommendation**

For FY 1996, Winfield Correctional Facility requests a total of \$4,309,862, of which \$3,476,500 is for salaries and wages, and \$833,362 is for other operating expenditures. Funding for state operations is requested at \$4,238,856 from the State General Fund and \$71,006 from the agency's General Fees Fund. The FY 1996 request would support 110.0 FTE positions, an increase of 5.0 new positions over the 105.0 approved for FY 1995. The agency proposes an average daily inmate population of 267 in FY 1996, a reduction of 13 from the revised FY 1995 ADP of 280.

The Governor recommends operating expenditures of \$4,014,657, a reduction of \$295,205 from the amount requested by the agency. The Governor's recommendation includes \$3,943,651 from the State General Fund and \$71,006 from other funds. The Governor does not recommend the new FTE positions requested by the agency.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1-75

1. Delete \$92,584, including \$90,732 from the State General Fund, based on the recommendation to delete funding for a 3.5 percent unclassified merit pool (\$0); classified step movement (\$42,992); a one percent base adjustment for classified employees (\$28,593); and the longevity bonus (\$20,999) from individual agency budgets.
2. The Subcommittee notes that the budget recommended for the facility is an austere one and believes that, given public safety concerns, and the uncertainty regarding the long-term impact of sentencing guidelines, the budget should not be reduced further.

#### **Senate Committee Recommendation**

The Senate Committee concurs with the recommendations of the Subcommittee with the following adjustments:

1. The Senate Committee commends the Wardens and staff of Larned Correctional Mental Health Facility and Winfield Correctional Facility for continuing to demonstrate outstanding management of difficult offender populations within existing financial resources. With the flexibility provided by the Secretary of Corrections to shift funding and positions from facility to facility as needed, the agencies are managing to maintain efficient operations without seeking additional funding.

#### **Senate Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>Senate Adjustments FY 96</u>	<u>Senate Recommendation FY 96</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ (92,584)	\$ 3,922,073	\$ (12,798)
Capital Improvements	0	0	0
TOTAL	<u>\$ (92,584)</u>	<u>\$ 3,922,073</u>	<u>\$ (12,798)</u>
State General Fund:			
State Operations	\$ (90,732)	\$ 3,852,919	\$ (12,798)
Capital Improvements	0	0	0
TOTAL	<u>\$ (90,732)</u>	<u>\$ 3,852,919</u>	<u>\$ (12,798)</u>
FTE Positions	0.0	105.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>105.0</u>	<u>0.0</u>
Average Inmate Census	0	285	0

**House Subcommittee Recommendation**

The House Subcommittee concurs with the recommendations of the Senate, with the following adjustments:

1. Delete \$12,798 from the State General Fund for costs associated with the Statewide Human Resources and Payroll (SHARP) system. The Senate removed funding for SHARP from all of the correctional facility budgets with the exception of Larned Correctional Mental Health Facility and Winfield Correctional Facility. It appears that this was an oversight, and for consistency, the Subcommittee recommends the deletion of this funding.

1-77



HOUSE OF REPRESENTATIVES  
STATE OF KANSAS

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TOPEKA

COMMITTEE ASSIGNMENTS  
CALENDAR AND PRINTING, CHAIRMAN  
INTERSTATE COOPERATION  
LEGISLATIVE COORDINATING COUNCIL

VINCENT K. SNOWBARGER  
MAJORITY LEADER

March 22, 1995

TESTIMONY BEFORE  
HOUSE APPROPRIATIONS COMMITTEE  
on

HB 2536 AND HCR <sup>5015</sup>5051

Over the past decade, this legislature has faced some issues time and again. One of the most difficult we have to deal with is pay for those who hold our elective offices. The way we have dealt with this most recently is to tie increases in salary to pay increases given to state employees. Subsistence allowance was tied to federal law.

While this scheme was satisfactory for most of the last decade, more recently, we have had a very difficult time dealing with this tie to state employees' pay increases. Typically an amendment is offered to decouple legislator's pay increases from that for other state employees. We seem to get caught up in the popular opinion of some of the public that we are "getting rich off the system," or we believe the work we do is not worth the compensation we receive.

I have observed several things over the past decade that have given me cause for concern. First, state legislatures are taking an increasingly active role in oversight and provision of services. It is a role that is constantly increasing in its

*3/22/95  
Appropriations Ante  
Attachment 2*

time requirements and its demands on our mental, physical and financial resources. Second, many of our colleagues are having to leave because of the financial strain. Third, it is becoming more difficult to recruit candidates. Finally, political expediency often takes precedence over concern for the long-term welfare and stability of the legislative branch.

Last summer, legislators were dealt another setback in the compensation arena. We were informed in mid-summer that we all owed withholding taxes for all compensation, including the monthly expense allowance, since January 1, 1994. For those within a 50-mile radius, withholding was required for all subsistence pay as well.

After discussion with many of our colleagues, I feel the time is ripe for considering another system of determining our compensation. Many other states already have commissions in place (see handout). I believe the revisor drafted these pieces of legislation based on the Maryland statute.

I have no preconceived idea of what a commission might do. I would hope we would give any such commission the authority to review not only the amount we were paid, but also how we are paid. For instance, we seem constantly concerned about how long the sessions run. We try at times to limit the session by reducing the pay we receive. If we were paid a set salary rather than a salary per day, it would have the same effect.

I think it is time for us to show our concern for the continued strength and diversity of the legislature by considering a change in this aspect of our operation.

LEGISLATURES

**Table 3.8**  
**METHOD OF SETTING LEGISLATIVE COMPENSATION**  
**(As of April 1994)**

State or other jurisdiction	Constitution	Legislature	Compensation commission	Legislators' salaries tied or related to state employees' salaries
Alabama	★	...	★	...
Alaska	...	★	★ (a)	Tied to state employees' salary schedule for non-salaried employees.
Arizona	...	...	★ (b)	...
Arkansas	...	★	...	...
California	...	★	...	...
Colorado	...	...	★	...
Connecticut	...	...	★	...
Delaware	...	★	★ (c)	Tied to average percentage increase of state career service employees for the fiscal year just concluded.
Florida	...	★	...	Automatic cost-of-living increases equal to 1/2 of percentage approved for state employees.
Georgia	...	★	...	...
Hawaii	...	...	★ (d)	...
Idaho	...	★	★ (e)	...
Illinois	...	...	★	...
Indiana	...	★	...	...
Iowa	...	...	★	...
Kansas	...	★	...	Legislators receive same margin of increase given to all state employees.
Kentucky	...	★	...	...
Louisiana	...	★	...	...
Maine	...	★	...	...
Maryland	...	...	★ (f)	...
Massachusetts	...	...	★	...
Michigan	...	...	★ (g)	...
Minnesota	...	★	...	...
Mississippi	...	★	...	Legislators receive all cost-of-living increases given to state employees.
Missouri	...	★	...	...
Montana	...	★	...	Tied to state employee pay schedule.
Nebraska	★	★	...	...
Nevada	...	...	★	...
New Hampshire	★	...	...	...
New Jersey	...	★	...	...
New Mexico	...	...	★	...
New York	...	★	...	...
North Carolina	...	★	...	Amount increased equal to the average increase received by state employees.
North Dakota	...	★	★	...
Ohio	...	★	...	...
Oklahoma	...	★	★	...
Oregon	...	★	...	...
Pennsylvania	...	★	...	...
Rhode Island	★	...	...	...
South Carolina	...	★	...	...
South Dakota	...	★	...	...
Tennessee	...	★	...	...
Texas	★	...	...	...
Utah	...	...	★	...
Vermont	...	★	...	...
Virginia	...	★	...	...
Washington	...	...	★	...
West Virginia	...	...	★	...
Wisconsin	...	★ (h)	...	Tied to pay plan of classified non-represented employees.
Wyoming	...	★	...	...
Dist. of Columbia	...	★	...	...

Source: National Conference of State Legislatures.

Key:

★ — Method used to set compensation.

... — Method not used to set compensation.

(a) Alaska commission makes recommendations but does not have the force of law.

(b) Arizona commission recommendations are put on ballot for a vote of the people.

(c) Delaware legislature must reject recommendations within 30 days by joint resolution or pay recommendation becomes effective.

(d) Hawaii commission recommendations effective unless legislature or governor disapproves by official action.

(e) Idaho commission recommendations adopted unless rejected by the legislature prior to 25th day.

(f) Maryland commission meets before each four-year term of office and presents recommendations to General Assembly for its action.

(g) Michigan commission recommendations take effect unless rejected by 2/3 vote in each house.

(h) Approved by Joint Committee on Employment Relations.

**Table 3.9**  
**LEGISLATIVE COMPENSATION: REGULAR SESSIONS**  
**(As of January 1994)**

State or other jurisdiction	Salaries			Travel allowance (as of January 1993)		Per diem living expenses
	Regular sessions		Annual salary	Cents per mile	Round trips home to capital during session	
	Per diem salary (a)	Limit on days				
Alabama	\$10	105C	...	(b)	One	\$2,280/m plus \$50 three times/w for committee meetings attended (V). Out-of-state travel, actual expenses.
Alaska	...	...	\$24,012	25.5	...	\$151 (\$113 for legislators living within 50 miles of capitol) (U) (c).
Arizona	...	...	\$15,000	25.5 (d)	...	\$35/C during session (\$65/C during session for out-of-Maricopa Cty. members) (U).
Arkansas*	...	...	\$12,500	25-Senate 27.5-House	Weekly	\$82 for members more than 50 miles from capitol. Senate (U); House (V).
California	...	...	\$52,500	18	...	\$101 (U).
Colorado	...	...	\$17,500	20 (24 for 4-wheel drive)	...	\$45 (\$99 for members outside Denver metro area) (V).
Connecticut	...	...	\$16,760	21	...	None.
Delaware	...	...	\$24,900	20	...	\$5,000/annum for all expenses.
Florida (e)	...	...	\$22,560	28	...	\$75 for first 40 days (V); \$75 for last 20 days (U).
Georgia	...	...	\$10,641	21	...	\$59 (committee and session days) plus \$4,800/y expense allowance (V).
Hawaii	...	...	\$32,000	...	...	\$80 for members living outside Oahu. \$130 for official business out-of-state. When in recess more than 3 days, Oahu legislators receive \$10; non-Oahu legislators, \$80 (V).
Idaho	...	...	\$12,000	(f)	...	\$70 (\$40 for legislators who do not establish a second residence in Boise and up to \$25 mileage) (U) except mileage). \$500/y expense allowance (U).
Illinois	...	...	\$38,420	25	...	\$81 (V).
Indiana	...	...	\$11,600	25	...	\$105 (U); tied to federal per diem.
Iowa	...	...	\$18,100 (g)	21	...	\$50 (\$35 for Polk Cty. members) (U) (h). Limited to 110 C in odd y; 100 C in even y.
Kansas	\$62	...	...	26	...	\$73 (U).
Kentucky*	\$100	...	...	25	...	\$74.80/C (U).
Louisiana	...	...	\$16,800	26	...	\$75 (U) for session and committee work. Conference travel: (V).
Maine (e)	...	...	\$7,125 (1994) \$9,975 (1995)	22	...	For legislative session days and authorized committee meetings (V); \$38 lodging or mileage in lieu of lodging. \$32 meals.
Maryland	...	...	\$28,000	26	...	\$98 (V). Out-of-state travel \$141 (V).
Massachusetts	...	...	\$30,000	...	...	\$5-50 depending on distance from capitol (U) plus \$2,400/y (U) expense allowance.
Michigan	...	...	\$47,723	...	...	None.
Minnesota	...	...	\$27,979	28	...	House: \$48 (U); up to \$600/m housing during session. Senate: \$50 (U); up to \$500/m housing during session.
Mississippi	...	...	\$10,000	20	...	\$82 expense allowance (V).
Missouri	...	...	\$22,862.52	20.5	...	\$35 (U); however, must answer daily roll call.
Montana*	\$57.062	90 L (odd y)	...	28	...	\$50 (U).
Nebraska	...	...	\$12,000	24	...	\$73 (\$26 if member resides within 50 miles of capitol) (V).
Nevada*	\$130	60C	...	28	...	\$66/C (U). Actual travel expenses reimbursed, subject to an overall limit of \$6,800.
New Hampshire	...	...	\$100	38 for first 45 miles, 19 thereafter	...	None.
New Jersey	...	...	\$35,000	...	...	None.
New Mexico	...	...	...	25	One	\$75 (V). Limit of 60 L in odd y.
New York	...	...	\$57,500	26	...	\$89 (\$130 in New York City metro area and out-of-state travel); \$45/partial L (V).
North Carolina	...	...	\$13,026	25	...	\$92 subsistence allowance (U) plus \$522/m expense allowance.
North Dakota*	\$90/C	...	\$2,160	20	...	\$35 housing allowance; maximum of \$600/m during session (V).
Ohio	...	...	\$42,426.90	20.5; 22.5	...	None.
Oklahoma	...	...	\$32,000	20.5	One (i)	\$35 for those unable to reside at home (U).
Oregon*	...	...	\$13,104	22	...	\$75 (U).
Pennsylvania	...	...	\$47,000	22	...	Senate: \$88/L (V). House: \$109/L (V).
Rhode Island	\$5	60L	...	8 (j)	One/L (V) (j)	...
South Carolina	...	...	\$10,400	25.5	...	\$83 (V).

See footnotes at end of table.

24

# LEGISLATIVE COMPENSATION: REGULAR SESSIONS—Continued

State or other jurisdiction	Salaries		Travel allowance (as of January 1993)		Per diem living expenses	
	Regular sessions Per diem salary (a)	Limit on days	Annual salary	Cents per mile		Round trips home to capital during session
South Dakota			\$4,267 (odd y) \$3,733 (even y)	(k)	(k)	\$75 (U).
Tennessee			\$16,500	22	...	\$82 (U).
Texas*			\$7,200	27.5	...	\$90 (U).
Utah	\$85	45L	...	27	...	\$35 (U).
Vermont			\$7,680 (1993) \$8,160 (1994)	25	...	\$50 for rent and \$37.50 for meals; commuters: \$32 for meals (U).
Virginia			Senate-\$18,000 House-\$17,640	24	(l)	\$93/C (U); subject to taxation if member lives within 50 miles of capitol.
Washington			\$25,900	28	...	\$66 (U).
West Virginia			\$6,500 (m)	20	...	\$40 lodging plus \$30 meals (V) (m).
Wisconsin			\$35,070	26 (n)	Weekly	\$75 (U).
Wyoming	\$75 (o)		...	35	...	\$60 (U), not to exceed 40L during odd y or a total of 60 d over two y.
Dist. of Columbia			\$71,885	(p)	...	\$118 (V) when out-of-town.

Source: National Conference of State Legislatures.

Note: In many states, legislators who receive an annual salary or per diem salary also receive an additional per diem amount for living expenses. Consult appropriate columns for a more complete picture of legislative compensation during sessions. For information on interim compensation and other direct payments and services to legislators, see Table 3.10, "Legislative Compensation: Interim Payments and Other Direct Payments."

\* — Biennial session. In Arkansas, Oregon and Texas, legislators receive an annual salary.

Key:

C — Calendar day  
L — Legislative day  
(U) — Unvouchered  
(V) — Vouchered  
d — day  
w — week  
m — month  
y — year  
... — Not applicable

(a) Legislators paid on a per diem basis receive the same rate during a special session.

(b) Tied to state employee mileage rate.

(c) Some legislators have opted to accept a lower per diem at \$100; \$75 for those living within 50 miles of capitol.

(d) Out-of-Maricopa County members only.

(e) Additional compensation during a special session: Florida, \$50; Maine, \$100.

(f) Up to \$25 during the session.

(g) Annual salary will increase to \$18,800 in 1995.

(h) Per diem living expenses will increase to \$60 (\$45 for Polk County members) in 1995.

(i) For those unable to reside at home during the session.

(j) Limit of 60 L.

(k) One round trip/weekend at .05/mile; .24/mile for the remaining weekends during session.

(l) Senators also receive one round trip/w and one round trip/session at .24/mile.

(m) The West Virginia Legislature voted in April 1994 to raise legislators' salaries in 1995 to \$15,000 per year and the per diem living expenses to \$85 per day. However, the constitutionality of the measure is in question.

(n) Mileage at .26/mile anytime legislature is in session fewer than three days/month.

(o) Includes non-business days.

(p) \$50 per month.

2-5

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**Table 3.10**  
**LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS**

<i>State or other jurisdiction</i>	<i>Per diem compensation and living expenses for committee or official business during interim (as of January 1994)</i>	<i>Other direct payments or services to legislators (as of January 1993)</i>
Alabama	\$40	\$1,900/m for district expenses (U).
Alaska	\$65 for legislative business.	District office space, telephones, supplies, travel and staff allocated by presiding officers (no set dollar amount).
Arizona	\$35 (\$60 for out-of-Maricopa Cty. members plus one round trip/w at .25½/mile).	None.
Arkansas	\$82 for committee meetings + .28/mile (U) for members more than 50 miles from capitol.	\$600/m for office, travel, meals, lodging and clerical staff.
California	\$101 for authorized travel; may receive more if lodging portion exceeds \$101.	\$279,380/y in Assembly for both capitol and district office expenses; Senate allowances vary.
Colorado	\$99 plus all actual and necessary travel and subsistence expenses (V).	None.
Connecticut	None.	Office allowance: Senate, \$4,500/y; House, \$3,500/y. No staffing allowance.
Delaware	None.	\$5,500/y unspecified allowance.
Florida	\$50 (U). Members may choose actual hotel plus \$21/d meal allowance (V).	\$1,500/m for district office and staffing; \$250/m additional for Senate president, speaker and members with three or more district staff. Senate: \$7,500/y for postage, telephone, in-state travel, etc. (V); House: \$7,100/y for mailing newsletters. Staff salaries paid directly by legislature.
Georgia	\$59 plus .21/mile for in-state travel (V); actual expenses for out-of-state travel (V).	\$4,800/y expense allowance (includes district office expenses); some legislators provided with one paid aide during session.
Hawaii	\$10 on island residence; \$80 on another island; \$130 for out-of-state travel (V).	Staffing allowance during session: Senate, \$310/d; House, \$4,500/m. Additional \$5,000/y expense allowance for incidental expenses.
Idaho	None.	\$500/y expense allowance.
Illinois	\$81 (V). Senate: two round trips/m; House: one round trip/yr. Mileage at .25/mile for one additional round trip each session.	Rent, utilities, supplies, mailings and staff: Senate, \$57,000/y; House, \$47,000/y.
Indiana	\$105 (V).	Office expense allowance of \$25/d seven days/w during interim only.
Iowa	\$50 salary (\$60 in 1995) plus .21/mile for one round trip each week (except Polk Cty. members).	\$75/m for postage, travel, telephone, and district constituent relations. Staff salaries paid by legislature.
Kansas	\$62 salary; \$73 expenses + .26/mile (V).	\$600/m during interim; secretarial staff provided during session.
Kentucky	Actual expenses (V).	District office allowance of \$950/m.
Louisiana	\$75 (V).	District office allowance of \$625/m. Staffing allowance of \$1,500-\$2,500/m.
Maine	\$55 salary; \$32 maximum for meals; actual mileage and tolls; actual expenses for lodging (V).	Constituent service allowance: Senate, \$1,000/y; House, \$750/y.
Maryland	\$102 or \$148 out-of-state (V).	District office expenses: Senate, \$16,765/fiscal y; House, \$15,507/fiscal y. \$250/y (U) for in-district travel.
Massachusetts	\$5-50 depending on distance from capitol.	None.
Michigan	None.	Unspecified allowance of \$8,925/y for 1994.

See footnotes at end of table.

# LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS—Continued

126  
L-2

State or other jurisdiction	Per diem compensation and living expenses for committee or official business during interim (as of January 1994)	Other direct payments or services to legislators (as of January 1993)
Minnesota	.28/mile. House: \$48 (V), Senate: \$50 (V); meals cannot be claimed if per diem is taken.	None.
Mississippi	\$40 salary; \$82 plus mileage. \$800/m expense allowance (U).	None.
Missouri	None.	District office expenses: Senate, \$6,000/y; House, \$600/m. Staffing allowance during interim: Senate, \$48,195 to \$62,370; House, \$300/m.
Montana	Actual expenses (V) up to statutory limit.	None.
Nebraska	Actual expenses for travel, meals, lodging.	Two full-time staff provided to each member.
Nevada	\$130/authorized meeting day. Actual travel expenses. \$58 for in-state meetings (U); \$24 (U) plus lodging (V) for out-of-state travel.	None.
New Hampshire	None.	None.
New Jersey	Some reimbursement for authorized conference travel.	\$750/y for supplies.
New Mexico	\$75 + .25/mile for committee meetings.	None.
New York	\$89 (\$130 for New York City and out-of-state travel); \$45/half session d (V).	\$1,600/y for incidental expenses. Major office expenses are covered by the legislature. Approximately \$130,000 to \$250,000 for district and capitol staff, depending on member and district.
North Carolina	.25/mile plus \$92 subsistence allowance (U).	May use \$522/m expense allowance for office expenses. \$1,500/biennium allowance for telephone and postage. One clerical staff provided by legislature.
North Dakota	\$62.50/actual days spent on committee work. Mileage, lodging and meals: based on state employee rate.	None.
Ohio	Actual travel expenses.	None.
Oklahoma	\$25 for meeting (U); mileage for interim meetings.	None.
Oregon	\$75 for committees and task force meetings (V). Interim expense allowance of \$400-\$500/m depending on district size.	May use \$400-500/m expense allowance for office expenses during interim. Staffing allowance: \$3,465/m during session; \$1,100/m during interim.
Pennsylvania	Senate: \$88, House: \$109 for meals and lodging (V).	District expenses: Senate, \$22,500/y; House, \$800/m for rent, equipment and utilities + \$10,000/y for additional district expenses. No separate staffing allowance.
Rhode Island	None.	None.
South Carolina	\$35 (Senate - V; House uses roll call); mileage reimbursed.	\$300/m for in-district expenses; \$500/y for postage and mailings. Senate: \$2,400/y for postage and telephone and additional \$1,000 for committee chairs. House: \$1,800/y for telephone; \$600/y for postage.
South Dakota	\$75/meeting d (U); travel expenses at state rates (V).	None.
Tennessee	\$78 (U in-state; V out-of-state).	District office expenses of \$525/m. No staffing allowance.
Texas	\$90 when in capital; limited to 10 days/m (V).	\$20,000/m for staff salaries.
Utah	\$35 (V) (outside Salt Lake and Davis Cty. members, additional \$50 if over-night stay).	None.
Vermont	Actual expenses (V).	None.

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**LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS—Continued**

<i>State or other jurisdiction</i>	<i>Per diem compensation and living expenses for committee or official business during interim (as of January 1994)</i>	<i>Other direct payments or services to legislators (as of January 1993)</i>
Virginia .....	\$100 salary. Actual expenses (V).	Office expenses of \$6,000/y. Staffing allowance of \$16,740/y.
Washington .....	\$66 (U); if high cost area, expenses over \$66 reimbursed with receipts.	Senate: \$1,350/quarter; one staff during interim, two during session. House: \$450/m for legislative expenses; no staffing allowance.
West Virginia .....	\$50 (U).	None.
Wisconsin .....	\$73 (U); .26/mile anytime legislature is in session fewer than three days/m.	Senators may establish district offices; general office budget up to \$26,858 for biennium includes rent, utilities and telephone.
Wyoming .....	\$75 salary; \$60 (V) + .35/mile.	None.
Dist. of Columbia .....	\$118 for out-of-town travel (V).	None.

Source: National Conference of State Legislatures.

Note: For more information on legislative compensation, see Table 3.9, "Legislative Compensation: Regular Sessions."

Key:  
 (U) — Unvouchered  
 (V) — Vouchered  
 d — day  
 m — month  
 w — week  
 y — year



**House Bill No. 2536**  
**House Concurrent Resolution No. 5015**  
House Appropriation Committee  
March 22, 1995

Testimony of Paul Shelby  
Assistant Judicial Administrator  
Office of Judicial Administration

Mr. Chairman and members of the committee we appreciate the opportunity to discuss House Bill No. 2536 and House Concurrent Resolution No. 5015 which relate to creating a compensation commission.

During the past interim session to the Special Committee on Judiciary we discussed the possibility of proposing a bill for the 1995 session that would create a judicial compensation commission. Rep. Mike O'Neal, Chairman of the House Judiciary Committee introduced such a measure in House Bill No. 2024 which is presently in this committee.

Due to this interest we are requesting amendments to both of the measures today that would do two things:

1. Expand the scope of the study to include compensation for justices of the supreme court, judges of the court of appeals, and judges of the district court.
2. Expand the proposed commission from seven to nine members and allow one appointment each to the commission by the chief justice of the Kansas supreme court and the president of the Kansas bar association.

We urge your favorable consideration to these amendments.

*3/22/95*  
*Appropriations Cmte*  
*Attachment 3*

# HOUSE BILL No. 2536

By Committee on Appropriations

2-16

3-2

9 AN ACT relating to compensation and expenses of elected state officials;  
10 creating the Kansas compensation commission; prescribing powers,  
11 duties and functions therefor.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) There is hereby created the Kansas compensation  
15 commission, hereinafter referred to as the commission, which shall consist  
16 of ~~seven~~ members as follows: (1) Two members appointed by the  
17 president of the senate; (2) two members appointed by the speaker of  
18 the house of representatives; (3) one member appointed by the minority  
19 leader of the senate; (4) one member appointed by the minority leader  
20 of the house of representatives; ~~and~~ (5) one member appointed by the  
21 governor. No one may be appointed to the commission who is an officer  
22 or employee of the state of Kansas.

23 (b) Of the members of the commission first to be appointed, one  
24 appointee of the president of the senate and one appointee of the speaker  
25 of the house of representatives shall be appointed for a term of two years,  
26 the appointees of the minority leader of the senate and the minority  
27 leader of the house of representatives shall be appointed for a term of  
28 four years and one appointee of the president of the senate and one  
29 appointee of the speaker of the house of representatives and the ~~ap-~~  
30 ~~pointee~~ of the governor shall be appointed for a term of four years, com-  
31 mencing July 1, 1995. Thereafter, all members of the commission shall  
32 be appointed for a four year term, commencing July 1. Vacancies shall  
33 be filled in the same manner as the original appointments and for the  
34 remainder of the unexpired term.

35 (c) The commission shall elect a chairperson and vice-chairperson  
36 from among its members. The commission shall meet on call of the chair-  
37 person or on the request of five members of the commission. Five mem-  
38 bers of the commission shall constitute a quorum. All actions of the com-  
39 mission shall be taken by a majority of all members of the commission.

40 (d) It shall be the duty of the commission to make a study of the  
41 compensation and expense allowances and reimbursements, hereinafter  
42 collectively referred to as remuneration, of the members of the legisla-  
43 ture, the governor, the lieutenant governor, attorney general, secretary of

nine

(6) one member by the chief justice of the Kansas supreme court;  
and (7) one member by the president of the Kansas bar association.

appointees

, chief justice of the supreme court, president of the  
Kansas bar association, and the

justices of the supreme court, judges of the court of appeals, judges of the  
district court,

3-3

1 state, state treasurer and insurance commissioner and submit a report  
2 establishing such remuneration to the legislature on or before January 8,  
3 1996, which shall be effective for the period commencing January 13,  
4 1997, and ending on the day before the second Monday of January, 1999.  
5 Thereafter, the commission shall cause a report establishing such remuneration to be prepared every two years and submitted to the legislature  
6 on the first day of the legislative session of every even-numbered year  
7 effective for the period commencing on the second Monday of the next  
8 odd-numbered year and ending on the day before the second Monday of  
9 the next succeeding odd-numbered year. The rates of remuneration established by the reports of the commission shall have the force and effect  
10 of law for the applicable period unless the senate and house of representatives shall by concurrent resolution reject such rates of remuneration  
11 prior to the 30th legislative day of the session in which the report is  
12 submitted.

13  
14  
15  
16 (e) The staff of the office of the revisor of statutes, the legislative  
17 research department and the division of legislative administrative services  
18 shall provide such assistance as may be requested by the commission and  
19 authorized by the legislative coordinating council.

20 (f) The members of the commission attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such  
21 commission, shall be paid compensation, subsistence allowances, mileage  
22 and other expenses as provided in K.S.A. 75-3223, and amendments  
23 thereto from appropriations for operations of the legislature upon vouchers approved by the chairperson of the commission or a person or persons  
24 designated by the chairperson.

25  
26  
27 Sec. 2. This act shall take effect and be in force from and after its  
28 publication in the statute book.

# House Concurrent Resolution No. 5015

By Committee on Appropriations

2-16

3-4

9 A PROPOSITION to amend article 15 of the constitution of the state of  
10 Kansas by adding a new section thereto, creating a citizens commission  
11 on legislative and executive compensation and prescribing duties  
12 thereof, and repealing section 15 of Article 1 and section 3 of Article  
13 2 of the constitution of the state of Kansas.

14  
15 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
16 *members elected (or appointed) and qualified to the House of Repre-*  
17 *sentatives and two-thirds of the members elected (or appointed) and*  
18 *qualified to the Senate concurring therein:*

19 Section 1. The following proposition to amend the constitution of the  
20 state of Kansas shall be submitted to the qualified electors of the state  
21 for their approval or rejection: Section 15 of Article 1 and section 3 of  
22 Article 2 of the constitution of the state of Kansas are hereby repealed  
23 and Article 15 of the constitution of the state of Kansas is amended by  
24 adding a new section thereto to read as follows:

25 "§ 16. ~~Citizens commission on legislative and executive com-~~  
26 ~~penensation~~ The citizens commission on legislative and executive  
27 compensation is hereby created which shall determine the salaries  
28 and expense allowances of the members of the legislature, the gov-  
29 ernor, the lieutenant governor, the secretary of state, the attorney  
30 general and all other elected officers of the executive department.  
31 The commission shall consist of seven members, two to be ap-  
32 pointed by the president of the senate, two to be appointed by the  
33 speaker of the house of representatives, one to be appointed by the  
34 minority leader of the senate, one to be appointed by the minority  
35 leader of the house of representatives and one to be appointed by  
36 the governor. Organization of the commission and qualifications,  
37 terms of office and compensation of the members thereof may be  
38 provided for by law. The commission shall establish the amounts of  
39 such salaries and expense allowances and submit a report thereof  
40 to the legislature and the governor on the second Monday of every  
41 even-numbered year effective for the two-year period beginning on  
42 the second Monday of the next odd-numbered year and ending on  
43 the day before the second Monday of the next succeeding odd-

of state officers,

of state officers

justices of the supreme court, judges of the court of appeals, judges of the district court,

nine

one member by the chief justice of the Kansas supreme court, one member by the president of the Kansas bar association,

B-5

1 numbered year. Amounts established by the commission shall have  
2 the force and effect of law for the applicable period unless the  
3 senate and house of representatives shall by concurrent resolution  
4 reject such report in toto prior to the 30th legislative day of the  
5 session in which the report is submitted. In the event of rejection,  
6 the amounts prevailing at the time of submission of the report shall  
7 remain in effect."

8 Sec. 2. The following statement shall be printed on the ballot with  
9 the amendment as a whole:

10 "Explanatory statement. This amendment would create a citizens  
11 commission that would be responsible for establishing salaries and  
12 expense allowances for members of the legislature and elected of-  
13 ficers of the state executive department. Present constitutional pro-  
14 visions that the governor, lieutenant governor, secretary of state,  
15 attorney general and legislative members receive such compensa-  
16 tion as established, provided or determined by law would be re-  
17 pealed.

18 "A vote for this proposition would create the commission and  
19 provide for the commission to establish the salaries and expense  
20 allowances of legislators and elected executive officers.

21 "A vote against this proposition would retain the present provi-  
22 sions that the constitutional officers of the executive department  
23 and members of the legislature receive such compensation as es-  
24 tablished, provided or determined by law."

25 Sec. 3. This resolution, if approved by two-thirds of the members  
26 elected (or appointed) and qualified to the House of Representatives and  
27 two-thirds of the members elected (or appointed) and qualified to the  
28 senate, shall be entered on the journals, together with the yeas and nays.  
29 The secretary of state shall cause this resolution to be published as pro-  
30 vided by law and shall cause the proposed amendment to be submitted  
31 to the electors of the state at the general election in the year 1996 unless  
32 a special election is called at a sooner date by concurrent resolution of  
33 the legislature, in which case it shall be submitted to the electors of the  
34 state at the special election.

justices of the supreme court, judges of the court of appeals, judges of the district court,

, justices, judges of the court of appeals, judges of the district court and

, justices, judges of the court of appeals, judges of the district court,

## COMPUTING AND INFORMATION SYSTEMS

✓ -- One common problem confronting most academic health centers is that they have largely underinvested in management information systems (MIS) and have largely underestimated the importance of MIS in the success of managed care. Even more acute with public institutions whose systems are largely dictated by state financial, accounting and budget systems which typically don't provide needed management information.

✓ --Utilization control is how profits are generated under managed care. Databases are critical to measuring medical and financial performance (stressed by Arthur Anderson).

✓ --Arthur Anderson also pointed to the need for financial and cost accounting systems that provide data for operational management and contract bidding.

--The state accounting and budget systems were not developed to accommodate the needs of the University Hospital; does not provide needed management data.

✓ --Compatibility and interface of all systems is essential to ensure efficiency and reliability of systems and to reduce costs.

--We currently have 16 major applications in place. All but two are SMS or SMS affiliated. The two that are not were acquired by competitive bid in the past two years; pharmacy and the laboratory systems. The cost to interface these two systems with SMS is \$271,000 with an annual maintenance costs estimated at \$32,000.

--We have 11 additional systems that need to be brought on line in the next three years. The current statutory process dictates a protracted undertaking for each of 12-18 months.

1. Submission and evaluation of a Request for Information (RFI) to many vendors.
2. Submission of a detailed Request for BID (RFB) to vendors.
3. After thorough evaluation of all bids, a negotiation is scheduled for at least two vendors who meet the minimum criteria.
4. Contract is awarded and then a protracted contract negotiation with the vendor of choice begins.

3/22/95  
Appropriations Comte  
Attachment 4

<u>Current Applications</u>	<u>Vendor</u>
Patient Management System	SMS
Medical Records	SMS
Case Mix Analysis	SMS
Patient Classification	ANSOS
Interfaces Order Processing	SMS
Custom Code	SMS
UB92 Workstation	SMS
DRG Preview	SMS
OpenLink II	SMS
Delivery System 22	SMS
GIDX	SMS
COR	SMS
Advanced Patient Accounting	SMS
Pharmacy	Digimedix
Laboratory	Sunquest
Outpatient Information System	SMS

**Table 1. Current Applications**

<b>Applications</b>	<b>Interface</b>	<b>Annual Maintenance</b>
Lab	\$95,000	\$11,400
Pharmacy	\$176,000	\$21,120
	\$271,000	\$32,520

**Table 2. Interface Costs**

<b>Applications Needed</b>
Graphical User Interface
Clinical Workstation
Advanced Nursing
Decision Support
Radiology
Enterprise Directory
Lifetime Clinical Database
Document Imaging
HMO Management
General Financials
Operating Room Management

**Table 3. Applications Needed**

HEALTHSOURCE (BLUE ADVANTAGE)

--HMO is a cooperative venture owned by Blue Cross and Blue Shield of Kansas City (50 % equity), KUMC, Health Midwest, North Kansas City Hospital, Providence Medical Center and Olathe Medical Center.

--Our equity position of \$2,272,445 is comprised of stock (\$697,000) and surplus notes (\$1,574,845)

--Membership in HMO (# of covered lives)

--Experience to Date

	Patients	Patient Days	Total Charges
-FY94 (11 months)			
Inpatient	63	443	\$814,584
Outpatient	-	-	120,429
-FY95 (6 months)			
Inpatient	69	325	\$665,236
Outpatient	-	-	221,222

Note: Hospital data only; excludes physician charges

--Networking

- One of the major Arthur Anderson recommendations focused on the need to develop a delivery network to provide the primary and specialty patients needed to support financial and educational objectives. Among the specific recommendations was the need to develop several primary care sites in the Kansas City area and to develop relationships with other physician-hospital systems.

- Complimentary to and related to strengthening of KUMC PHO

--Hamilton-KSA consulting study was even more ambitious - talking of multiples of clinics and 60-70 added primary care physicians

3/22/95

Appropriations Cmte

Attachment 5



*Copy to  
De Andrus  
M. Rein  
B. W. Wood*

SUMMARY OF  
AGREEMENTS WITH  
UNIVERSITY HOSPITAL CONSORTIUM

FEB 22 1995

As of February 14, 1995, the Purchasing Department of the University of Kansas Hospital has either finalized or is in process of finalizing the following agreements through the University Hospital Consortium Services Corporation. Those agreements which are complete indicate the estimated annualized savings, based on the previous twelve months expenditures.

Automated drug dispensing system - agreement with Pyxis Corporation, currently there a six installations in house, annual savings - **\$66,600**

Radiological film - agreement with Kodak, distributed through Merry X-Ray, annual savings - **\$56,000\***

Non-ionic contrast media - agreement with Winthrop/Sanofi, annual savings - **\$250,000\***

\*Completion of both the X-Ray film and non-ionic contrast media agreements entitle the hospital to an additional 5% discount off annual expenditures, currently at \$1,600,000, rebated annually, additional savings - \$80,000

Therapeutic beds - agreement with Kinetic Concepts, and  
Mattress overlays - agreement with Kinetic Concepts, the pairing of these two agreements caps the hospital's expenses at 50% of the previous twelve months expenditures for the coming year. Agreement allows the placement of one bed under an "indigent patient clause", selection of specific bed at hospital's discretion, annual savings - **\$208,000**

Mobile x-ray units (2) - agreement with General Electric, estimated expenditure \$82,000. Actual cost \$36,520 per unit, savings - **\$8,960**

*3/22/95  
Appropriations Cmte  
Attachment 6*

We have also signed Commitment Agreements, but have not received agreement pricing for the following:

- Internal staplers - open
- Internal Staplers - endoscopic
- Disposable trocars
- Disposable MIS instruments
- Surgical staplers and staples
- Protective IV administration sets
- Syringes and Needles
- Dietary chemicals for Warewashing
- Food service steamers
- Microwaves
- Dish machines

We are also working with the Operating Room and Ob-Gyn to address a suture conversion from Davis and Geck and Ethicon to Davis and Geck and United States Surgical Corporation. Our current contract allows us an average 28% discount off the manufacturers price catalog. The UHC agreement will allow 49-51% of their 1992 price catalogs.

UHC  
SAVINGS SUMMARY

Automated drug dispensing system	\$ 66,600
X-Ray film	56,000
Non-ionic contrast media	250,000
X-ray and contrast media rebate	80,000
Therapeutic beds and Mattress Overlays	208,000
Mobile x-ray units	8,960
TOTAL	<u>\$669,560</u>

## Memorandum

To: House Appropriations Committee Members

From: Timothy Colton, Senior Fiscal Analyst

Re: Board of Agriculture--FACTS Program

The attached is a copy of the updated Board of Agriculture Subcommittee Report. In Committee on Monday, the Committee amended the Subcommittee Report to include information on what the transfer of the FACTS Program from the Board of Agriculture to KSU would entail. That information is included under the section "House Committee Recommendation."

The FACTS Program's 7.0 FTE positions have already been deleted from the Board of Agriculture's FTE position limitation.

*3/22/95*

The Legislative Research Department

*Appropriations Cmte  
Attachment 7*

**SUBCOMMITTEE REPORT**

**Agency:** State Board of Agriculture

**Bill No.** 153

**Bill Sec.** 2

**Analyst:** Colton

**Analysis Pg. No.** 697

**Budget Page No.** 57

<u>Expenditure Summary</u>	<u>Agency Request FY 96</u>	<u>Governor's Recommendation FY 96</u>	<u>Senate Subcommittee Adjustments</u>
<b>All Funds</b>			
State Operations	\$ 21,981,293	\$ 20,023,185	\$ (483,809)
Aid to Local Units	180,000	80,000	0
Other Assistance	850	850	0
Subtotal	<u>22,162,143</u>	<u>20,104,035</u>	<u>\$ (483,809)</u>
Capital Improvements	96,500	0	0
<b>TOTAL</b>	<u><u>\$ 22,258,643</u></u>	<u><u>\$ 20,104,035</u></u>	<u><u>\$ (483,809)</u></u>
<b>State General Fund</b>			
State Operations	\$ 11,273,725	\$ 9,460,466	\$ (299,351)
Aid to Local Units	100,000	0	0
Other Assistance	0	0	0
Subtotal	<u>\$ 11,373,725</u>	<u>\$ 9,460,466</u>	<u>\$ (299,351)</u>
Capital Improvements	96,500	0	0
<b>TOTAL</b>	<u><u>\$ 11,470,225</u></u>	<u><u>\$ 9,460,466</u></u>	<u><u>\$ (299,351)</u></u>
<b>FTE Positions</b>	345.8	321.5	--

**Agency Request/Governor's Recommendation**

The agency requests FY 1996 operating expenditures of \$22,162,143. This is an increase of 6.4 percent over the FY 1995 revised estimate. The requested funding would allow the addition of 18.0 FTE positions, and provide for enhancements in operating funds, particularly for travel for regulatory and training purposes, and for a large-scale replacement of computer equipment throughout the agency.

The Governor recommends funding of \$20,104,035 for FY 1996 operating expenditures, which is a reduction of \$2,058,108 from the agency request, and a decrease of \$719,692 from the amount requested by the agency. The Governor abolishes 6.0 FTE positions at the agency, and provides neither the enhanced operating moneys requested by the agency, nor funding for the replacement of computers.

**Senate Subcommittee Recommendation**

Concur, with the following exceptions and comments:

7-2

1. Put funding for the Governor's salary plan (\$483,809 all funds, \$299,351 State General Fund) into another bill.
2. The Subcommittee calls the Committee's attention to the fact that the Governor, in his FY 1996 recommendations, has eliminated an Engineering Associate I position in the Water Structures program of the Division of Water Resources. The person filling the position is responsible for reviewing water structure applications in southeastern Kansas (based out of Chanute). The Governor also reduced funding for temporary help in this program to about two-thirds the FY 1995 level.

The Subcommittee notes further that significant progress has been made in reducing the backlog in water rights applications, thanks to the action taken by the 1994 Legislature. According to the agency, the backlog of water rights applications, once at about 14 months, has been reduced to about six months, and the downward trend is continuing.

While the Subcommittee concurs with the Governor in the elimination of the Water Structures position, it is concerned about the possibility that now, when the backlog of water rights applications is being reduced, a backlog of water structures applications will develop. The Subcommittee believes that the Legislature should monitor this situation closely, and has asked the Board to keep the Legislature apprised in this regard.

3. The Subcommittee notes that in 1993, a Waste Pesticide Pilot Program was made possible through a grant of \$80,000 from the Environmental Protection Agency. The program, which was carried out in Riley, Marshall, Morris and Pottawatomie counties, was a success. 17,766 pounds of waste pesticide were collected and properly disposed of, at a cost of about \$4.00 a pound. (This compares very favorably to the cost-per-pound collection and disposal rates of other states where pilot projects were carried out.) In only the four pilot counties, 210 pounds of DDT were collected--a chemical that was banned 20 years ago!

The Board applied for further federal funding for this project for FY 1995 and FY 1996, but is under the impression that federal funding will not be forthcoming. To supplant (or, if a grant were to be received, to supplement) federal funding, the agency requested \$100,000 from the State General Fund to carry out another Waste Pesticide Disposal Program. The Governor did not recommend funding for this program.

While the Subcommittee supports the Governor's recommendation, it believes that this program has important ramifications for the protection of public health and the environment. The Subcommittee believes that the Legislature should examine this program again in future sessions, and, if the state's budgetary circumstances permit, provide funding for it.

4. The Subcommittee calls the Committee's attention to the fact that the fund balance in the Laboratory Equipment Fee Fund, created by the 1994 Legislature, was

7-3

approximately \$30,700 as of 1 February 1995. The Board is currently monitoring fund revenues, to determine at what point in time payments to the Kansas Development Finance Authority (for financing of debt for equipment purchases) might be made so as to coincide with receipts to the fund. This matter is somewhat complex, since some receipts to the fund arrive monthly, others quarterly, etc. The Board has committed itself to keeping the Legislature apprised of fund balances, and, eventually, of purchases made from the new fund.

5. Finally, the Subcommittee commends the agency for the progress that has been made in reducing the backlog in water rights applications. As was stated earlier, the backlog has been reduced from about 14 months to about six months, with the downward trend continuing. If current trends continue, and with funding recommended by the Governor, the agency expects to have the overall average processing time down to 90 days or less for change applications received in proper form by the end of FY 1996.

#### **Senate Committee Recommendation**

Concur.

#### **Senate Committee of the Whole Recommendation (20 February 1995)**

1. The Senate Committee of the Whole deleted \$660,533 from the State General Fund from the agency's operating expenditures line-item. This action was intended to remove funding for the Farmers' Assistance, Counselling and Training Service (FACTS) program.

#### **Senate Committee of the Whole Recommendation (22 February 1995)**

1. Because the FACTS program's financing from the State General Fund totalled only \$174,910, a previous Senate Committee of the Whole floor amendment, written without consultation from staff, erroneously removed \$485,623 in financing for other State Board of Agriculture programs. An amendment was offered to correct this error. The amendment was adopted.
2. An amendment was offered to restore funding for the FACTS program. The amendment was adopted.

#### **Senate Action (23 February 1995)**

A motion to reconsider was adopted to reconsider the Senate Committee of the Whole action from 22 February. S.B. 153 was withdrawn from final action and returned to general orders. It was then withdrawn from the calendar and rereferred to the Senate Committee on Ways and Means. A special subcommittee (Senators Morris (chairman), Lawrence, Petty, Praeger and Rock) was appointed by the

Chairman of Ways and Means to hold hearings on the FACTS program, and to make a recommendation to the Senate about funding by the FACTS program.

### **Recommendation of the Special Senate Subcommittee**

The Special Subcommittee recommends that funding for the FACTS program continue as in the Governor's recommendations. The Subcommittee believes that the FACTS program provides a valuable service to the State and the State's economy by helping existing businesses stay in business. By serving as a business retention program, the FACTS program helps the state to reduce expenditures, tax-base losses, and uncollected debt. It offers services to agribusinesses that are similar to the services provided to non-farm businesses by the Small Business Administration and the Kansas Department of Commerce and Housing.

If one looks only at the farmers who were assisted in keeping their farms by legal assistance from the FACTS program from 1986 to 1994 (about 680 farmers), and based upon an average of \$134,000 in annual cash operating expenses by farmers, the 680 farmers who have been helped to retain their farms by FACTS legal assistance will pump over \$91 million into the Kansas economy during 1995 alone.

The Subcommittee believes that the approximately \$175,000 that the State invests in the FACTS program are well spent. In FY 1994, the FACTS program provided assistance in 1179 new cases, as well as a significant number of cases that had been opened earlier. Every \$3 of state funding for FACTS leverages \$7 in federal financing that will permit the FACTS program to help small farm businesses stay in business, and their owners to remain taxpayers. The Subcommittee would dispute the notion that moneys expended for the FACTS program are "welfare for farmers." Rather the Subcommittee considers them to be an investment in the *empowerment* of Kansas small farm business owners, and an investment in the state's economic well-being.

75



<u>Expenditure Summary</u>	<u>Senate Recommendations FY 96</u>	<u>House Subcommittee Adjustments</u>	<u>House Subcommittee Recommendations</u>
<b>All Funds</b>			
State Operations	\$ 19,539,376	\$ (491,293)	\$ 19,048,083
Aid to Local Units	80,000	0	80,000
Other Assistance	850	0	850
Subtotal	<u>\$ 19,620,226</u>	<u>\$ (491,293)</u>	<u>\$ 19,128,933</u>
Capital Improvements	43,091	0	43,091
TOTAL	<u><u>\$ 19,620,226</u></u>	<u><u>\$ (491,293)</u></u>	<u><u>\$ 19,128,933</u></u>
<b>State General Fund</b>			
State Operations	\$ 9,161,115	\$ 0	\$ 9,161,115
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal	<u>\$ 9,161,115</u>	<u>\$ 0</u>	<u>\$ 9,161,115</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 9,161,115</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 9,161,115</u></u>
FTE Positions	321.5	(6.0)	315.5

**House Subcommittee Recommendations**

The House Subcommittee concurs with the Senate, with these exceptions:

1. Transfer the FACTS program to Kansas State University's Cooperative Extension Service. The new FACTS program will be a scaled-down version of the FACTS program, with in-kind services from KSU/CSE providing the match for federal mediation funds. KSU/CSE will perform educational services, such as financial management training, as well as family support, and providing training to community mental health centers about the specific problems of farm families. Legal and mediation services would continue to be contracted out.
2. Transfer \$131,233 in State General Fund financing, heretofore used for the FACTS program, to the Statistical Services and Support Program. The money will be used to offset a portion of the cost of use value data collection. The Statistical Services and Support Program has the expertise and the capability to provide data collection to be used as a tool in the use value appraisal process administered by the Department of Revenue. The Subcommittee feels that this is a critical need at this time.
3. Restore 1.0 FTE Agricultural Inspector II position in the Dairy Inspections sub-program of the Inspections Division. Because a number of large dairies are opening up in the state, particularly in the west, the Subcommittee is concerned that the agency might not be able to fulfill FDA requirements for dairy inspections if it loses the FTE position. If the agency feels that filling the position is a priority, it can use

7-6

dairy inspection fee moneys to do so, if such fee revenue is available. The Subcommittee's action is meant only to give the agency the flexibility to fill the position if doing so is necessary in order to maintain an adequate level of dairy inspections. The action restores only the position, and not the funding. If the agency wishes to fund the position, it will have to do so from increased fees.

4. The Subcommittee was requested to add \$25,000 in funding for the Ag in the Classroom programs to the Board of Agriculture's budget. Funding for the programma has been part of the Department of Education in the past. However, because of the controversies surrounding school finance, this programma had a relatively low priority in that agency's budget. The Subcommittee agrees that, if the program is financed through a state agency, the Board of Agriculture is probably the most appropriate place for it. Because of the time constraints of second-house review, the Subcommittee did not have time to examine the merits of the program, and so did not add the requested funding. The Subcommittee believes that the question of state funding for Ag in the Classroom should be looked at next year in first-house review, and, if appropriate, funding added in the Board of Agriculture's budget.
5. In the agency's Marketing Division, the agency requested the addition of 1.0 FTE Economic Development Representative II position to staff a hog-marketing reporting system that would replace the current contractual system now in place. The agency feels that an FTE position would better ensure the continuity of the program. The Subcommittee did not add the position, but recommends that the agency be allowed to use an existing FTE position for the Economic Development Representative if it feels that this is an agency priority.

### **House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendations, with the following comments:

1. The Subcommittee's recommendation entails the deletion of \$491,293 in federal funds from the Board of Agriculture's budget, along with 7.0 FTE positions. Since the Subcommittee restored a 1.0 FTE Dairy Inspector position, the net FTE loss at the Board of Agriculture will be 6.0 FTE positions.
2. If the Senate concurs with the House Committee's recommendation to transfer FACTS to Kansas State University/Cooperative Extension Service, 3.0 FTE positions will need to be added to KSU/CSE's budget in the Omnibus bill. The positions are:
  - One FTE position for legal intake. The person filling this position will screen calls to the FACTS program to see whether callers are eligible for FACTS legal services. Cost: \$51,576.
  - One FTE position for a family needs specialist. As I understand it, the person filling this position will train personnel at the state's community

mental health centers in dealing with the particular mental health crises faced by farm families. Cost: \$35,000.

- One FTE position for an administrative officer. Cost: \$25,000.
- 3. FACTS legal services (which will continue to be provided by Kansas Legal Services), mediation services, the positions mentioned above, the FACTS hotline and \$10,000 in other contractual services will be paid from federal moneys. Total federal funding for the FACTS program at KSU/CSE: \$375,193.
- 4. KSU/CSE will provide \$160,797 in in-kind services as a state match for the federal funding. This will, according to the agreement between the Secretary of Agriculture and KSU/CSE, be done within existing KSU/CSE resources.
- 5. Total federal and state spending for FACTS at KSU/CSE is shown in the following table:

Federal Funding	\$	375,193
State In-Kind Services		160,797
<b>Total</b>	<b>\$</b>	<b><u>535,990</u></b>

- 6. When FACTS was under the Board of Agriculture, \$172,357 from the State General Fund was used as the state match for the federal funding. This SGF funding remains in the Board of Agriculture. \$131,233 will be transferred to Kansas Agricultural Statistics for use value data collection. \$41,124 will compensate the Board's Administrative Division for the loss of indirect federal funding that the Board received in recognition of the overhead expenditures created by the FACTS program. Since many people at the Board's Administrative Division performed services related to FACTS, and since FACTS services cannot be tied to any single, identifiable FTE position, the Board will need SGF financing to make up for the loss of the indirect federal funding that the transfer of FACTS will entail.