

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson August Bogina at 11:00 a.m. on February 16, 1995 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Alan Conroy, Legislative Research Department
Leah Robinson, Legislative Research Department
Laura Howard, Legislative Research Department
Norman Furse, Revisor of Statutes
Michael Corrigan, Revisor of Statutes
Judy Bromich, Administrative Assistant
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Others attending:

It was moved by Senator Kerr and seconded by Senator Rock that bill draft 5 RS 1013 be introduced as requested the by subcommittee on SRS. The motion carried on a voice vote.

SB 71: Appropriations for FY 96, department of corrections and correctional institutions and facilities

Senator Lawrence presented the FY 95 and FY 96 subcommittee reports on the Ellsworth Correctional Facility and the Lansing Correctional Facility (Attachment 1). It was moved by Senator Lawrence and seconded by Senator Kerr that the reports be adopted. The motion carried on a voice vote.

The FY 95 and FY 96 subcommittee reports on the El Dorado Correctional Facility, the Hutchinson Correctional Facility, and the Norton Correctional Facility (Attachment 2) were reviewed by Senator Salisbury. Senator Moran moved, Senator Petty seconded, that the reports be adopted. The motion carried on a voice vote.

Senator Morris reviewed the FY 95 and FY 96 subcommittee reports on the Larned Correctional Mental Health Facility and the Winfield Correctional Facility (Attachment 3). The Chair told members that the Capital Improvements subcommittee had also discussed the Rush Building and considered it a viable option. Senator Karr noted that because of the increasing number of minimum security prisoners at Ellsworth, one possibility might be to move the Chemical Dependency Recovery Program from Larned to the Osawatomie Hospital or use the Rush Building as a minimum security facility in conjunction with the work camp there.

Senator Moran commented that the Secretary of Corrections had indicated that the Department was evaluating whether the beds at Osawatomie State Hospital could be used for the 90 day conditional parole violators and/or minimum security prisoners. Because he wanted the subcommittee report to reflect all the options, Senator Moran moved, Senator Morris seconded, that the FY 96 subcommittee report (Attachment 3-5) be amended to include this additional option. The motion carried on a voice vote.

Senator Brady noted that the issues involved in housing conditional parole violators, sex predators, and juveniles should all be evaluated together. He stated that he believed the Department should examine all the MHMR facilities to determine what potentials exist for longterm solutions. Members discussed the correctional problems that had arisen with the enactment of recent legislation, which agency should have custodial responsibility for particular classes of violators, which facilities should house certain violators, what renovation or construction should be undertaken, and how all these problems impact both the Department of Social and Rehabilitation Services and the Department of Corrections. It was noted that the Department of Corrections believes that the immediate problem of housing for sex predators has been solved by setting aside one pod at the Larned Correctional Mental Health Facility.

Senator Brady moved, Senator Karr seconded, that the FY 96 subcommittee report on the Larned Correctional Mental Health Facility be conceptually amended by encouraging a complete review by the Department of Corrections, the Department of Social and Rehabilitation Services and the Office of Judicial Administration of

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on February 16, 1995.

current facilities for longterm solutions to correctional problems. The motion carried on a voice vote.

It was moved by Senator Morris and seconded by Senator Vancrum that the FY 96 subcommittee reports for the Larned Correctional Mental Health Facility and the Winfield Correctional Facility be amended to include a commendation of the wardens and staff. The motion carried on a voice vote.

Senator Morris moved, Senator Karr seconded, that the FY 95 reports and FY 96 subcommittee reports as amended for the Larned Correctional Mental Health Facility and the Winfield Correctional Facility be adopted. The motion carried on a voice vote.

The FY 95 and FY 96 subcommittee reports on the Department of Corrections were reviewed by Senator Vancrum (Attachment 4). In answer to Senator Lawrence's question, staff stated that the Department is evaluating the option of charging prisoners who bring frivolous lawsuits against the state a fee for those court actions.

In discussing the cuts in offender programs which would be required under the Governor's recommendation, members of the Committee noted that \$22 million is the contractual amount for treatment offenders. The programs funded from that appropriation are at the Department's discretion, but each contract is subject to appropriation. A representative from the Department stated that the agency has focused on elimination of day treatment and portions of outpatient counseling in the substance abuse treatment programs on the basis of utilization. In response to a question regarding how funding of the offender programs impacts the length of incarceration, the representative stated that prisoners' length of stay is impacted by their choice to not participate in the programs, not by the availability of the programs.

Members discussed concerns they had regarding the elimination of some of the offender programs. Senator Rock moved, Senator Kerr seconded that item 4 of the FY 96 subcommittee report be amended by adding \$100,000 from the Inmates Benefit Fund (IBF); \$250,000 from the Correctional Industries Fund (CIF); and \$1 million from the SGF for preservation of the offender programs. Senator Salisbury expressed her desire that the House subcommittee discuss the effectiveness of the various programs and the number of persons who benefit from them with the agency and report back to the Senate subcommittee.

Senator Vancrum offered a substitute motion which was seconded by Senator Brady to amend item 4 of the FY 96 report by adding \$500,000 from the SGF; \$100,000 from the IBF, and \$250,000 from the CIF for offender programs. Senator Kerr expressed reservations about making major cuts without an evaluation of the programs and a departmental prioritizing of the programs because the Legislature had put a high value on these programs in the past. The motion failed on a show of hands.

Senator Kerr offered a substitute motion to amend item 4 of the FY 96 subcommittee report by Adding \$650,000 from the SGF; \$100,000 from the IBF; and \$250,000 from the CIF (for a total of \$1 million) for the offender programs with the stipulation that the appropriation be released by the Finance Council after demonstration by the Department that the programs had been evaluated and prioritized. The motion carried on a voice vote.

Senator Vancrum moved, Senator Brady seconded, that the FY 95 report and the FY 96 report as amended for the Department of Corrections be adopted. The motion carried on a voice vote.

Senator Vancrum reviewed the FY 95 and FY 96 subcommittee reports on the Topeka Correctional Facility (Attachment 5). It was moved by Senator Vancrum and seconded by Senator Kerr that the FY 95 and FY 96 reports be adopted. The motion carried on a voice vote.

It was moved by Senator Rock and seconded by Senator Brady that SB 71 as amended be recommended favorable for passage. The motion carried on a roll call vote.

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|-----------------------|--|
| <u>SB 170:</u> | <u>University of Kansas medical center, acquisition of data processing hardware and software for hospital, procedures</u> |
| <u>SB 171:</u> | <u>University of Kansas medical center, authorizing affiliations, joint ventures, partnerships and equity ownerships to provide medical services or medical network participation</u> |
| <u>SB 173:</u> | <u>University of Kansas medical center, lease and operation of off-campus medical facilities</u> |
| <u>SB 174:</u> | <u>University of Kansas medical center, purchasing procedures, exemptions and purchasing consortiums</u> |

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on February 16, 1995.

The Chair presented a balloon for **SB 170** (Attachment 6) and **SB 174** (Attachment 7) to the Committee for their consideration. Representatives from the Division of Purchases and the University of Kansas Medical Center stated that they were in agreement with the proposed language. It was moved by Senator Rock and seconded by Senator Vancrum that SB 170 and SB 174 be amended by inclusion of the balloon. The motion carried on a voice vote.

Senator Morris moved, Senator Rock seconded, that SB 170 as amended, SB 171, SB 173, and SB 174 as amended be recommended favorable for passage. The motion carried on a roll call vote.

The Chairman thanked the Committee for their patience with the length of the meeting which he adjourned at 12:35 P.M. The next meeting is scheduled for February 17, 1995.

SUBCOMMITTEE REPORT

FY 1995 - FY 1996

Ellsworth Correctional Facility

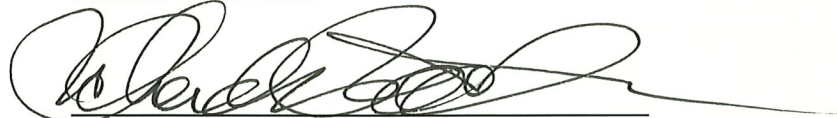
Lansing Correctional Facility



Senator Barbara Lawrence
Subcommittee Chair



Senator Dave Kerr



Senator Richard Rock

SWAM
February 16, 1995
Attachment 1

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>
All Funds:			
State Operations	\$ 7,966,552	\$ 7,933,070	\$ 0
Capital Improvements	30,595	30,595	0
TOTAL	<u><u>\$ 7,997,147</u></u>	<u><u>\$ 7,963,665</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 7,955,552	\$ 7,922,970	\$ 0
Capital Improvements	0	0	0
TOTAL	<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
TOTAL	<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.

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>
All Funds:			
State Operations	\$ 8,691,629	\$ 8,315,173	\$ (146,072)
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 8,691,629</u></u>	<u><u>\$ 8,315,173</u></u>	<u><u>\$ (146,072)</u></u>
State General Fund:			
State Operations	\$ 8,684,129	\$ 8,307,673	\$ (146,072)
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 8,684,129</u></u>	<u><u>\$ 8,307,673</u></u>	<u><u>\$ (146,072)</u></u>
FTE Positions	199.5	190.5	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u><u>199.5</u></u>	<u><u>190.5</u></u>	<u><u>0.0</u></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.

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
TOTAL	<u>\$ 29,221,972</u>	<u>\$ 29,076,374</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 28,663,549	\$ 28,517,951	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 28,663,549</u>	<u>\$ 28,517,951</u>	<u>\$ 0</u>
FTE Positions	714.0	714.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>714.0</u>	<u>714.0</u>	<u>0.0</u>
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.

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
TOTAL	<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
TOTAL	<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
TOTAL	<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. 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 House Committee on Business, Commerce, and Labor, 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.

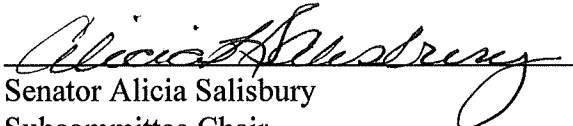
SUBCOMMITTEE REPORT

FY 1995 - FY 1996

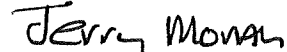
El Dorado Correctional Facility

Hutchinson Correctional Facility

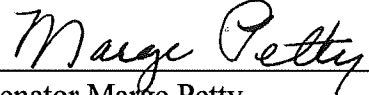
Norton Correctional Facility



Senator Alicia Salisbury
Subcommittee Chair



Senator Jerry Moran



Senator Marge Petty

SWAM
February 16, 1995
Attachment 2

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.

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
TOTAL	<u>\$ 16,445,432</u>	<u>\$ 15,406,458</u>	<u>\$ (280,187)</u>
State General Fund:			
Operating Expenditures	\$ 16,375,315	\$ 15,336,341	\$ (280,187)
Capital Improvements	0	0	0
TOTAL	<u>\$ 16,375,315</u>	<u>\$ 15,336,341</u>	<u>\$ (280,187)</u>
FTE Positions	413.0	390.0	--
Special Project Appointments	0.0	0.0	--
TOTAL	<u>413.0</u>	<u>390.0</u>	<u>--</u>
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 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.

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.

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><u>\$ 23,484,836</u></u>	<u><u>\$ 21,977,570</u></u>	<u><u>\$ (477,198)</u></u>
State General Fund:			
Operating Expenditures	\$ 22,539,832	\$ 21,714,824	\$ (474,034)
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 22,539,832</u></u>	<u><u>\$ 21,714,824</u></u>	<u><u>\$ (474,034)</u></u>
FTE Positions	526.0	521.0	--
Special Project Appointments	0.0	0.0	--
TOTAL	<u><u>526.0</u></u>	<u><u>521.0</u></u>	<u><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. 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.

SUBCOMMITTEE REPORT

Agency: Norton Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 351

Budget Page No. 413

Expenditure Summary	Agency Estimate FY 95	Governor's Recommendation FY 95	Senate Subcommittee Adjustments
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.

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

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.

SUBCOMMITTEE REPORT

FY 1995 - FY 1996

Larned Correctional Mental Health Facility

Winfield Correctional Facility



Senator Stephen R. Morris
Subcommittee Chair



Senator Gerald Karr

SWAM
February 16, 1995
Attachment 3

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.

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 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.

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>
All Funds:			
Operating Expenditures	\$ 3,937,742	\$ 3,908,159	\$ 0
Capital Improvements	8,415	8,415	0
TOTAL	<u>\$ 3,946,157</u>	<u>\$ 3,916,574</u>	<u>\$ 0</u>
State General Fund:			
Operating Expenditures	\$ 3,868,789	\$ 3,839,206	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 3,868,789</u>	<u>\$ 3,839,206</u>	<u>\$ 0</u>
FTE Positions	105.0	105.0	0.0
Special Project Appointments	0.0	0.0	0.0
TOTAL	<u>105.0</u>	<u>105.0</u>	<u>0.0</u>
Average Inmate Census	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.

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
TOTAL	<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
TOTAL	<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
TOTAL	<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. 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.

SUBCOMMITTEE REPORT

FY 1995 - FY 1996

Department of Corrections

Topeka Correctional Facility



Senator Robert Vancrum
Subcommittee Chair



Senator William Brady

SWAM
February 16, 1995
Attachment 4

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	\$ 0
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	\$ 0
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>\$ 0</u>
FTE Positions	362.0	362.0	0.0
Special Project Appointments	<u>3.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>365.0</u>	<u>362.0</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 sufficiently 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.

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	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal-Operating	\$ 75,812,453	\$ 68,538,479	\$ (369,618)
Capital Improvements	<u>34,973,538</u>	<u>9,560,542</u>	<u>0</u>
TOTAL	<u>\$ 110,785,991</u>	<u>\$ 78,099,021</u>	<u>\$ (369,618)</u>
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	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal-Operating	\$ 65,866,686	\$ 58,680,138	\$ (298,216)
Capital Improvements	<u>30,933,000</u>	<u>4,835,000</u>	<u>0</u>
TOTAL	<u>\$ 96,799,686</u>	<u>\$ 63,515,138</u>	<u>\$ (298,216)</u>
FTE Positions	369.5	362.0	0.0
Special Project Appointments	<u>3.0</u>	<u>3.0</u>	<u>0.0</u>
TOTAL	<u>372.5</u>	<u>365.0</u>	<u>0.0</u>

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 be 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>\$ 500,000</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	<u>\$ 8,823,787</u>	<u>\$ 9,617,417</u>	<u>\$ 10,114,912</u>
Less: Expenditures	7,289,665	7,994,420	8,288,120
Transfer Out to SGF	200,000	200,000	350,000
Balance Forward	<u>\$ 1,334,122</u>	<u>\$ 1,422,997</u>	<u>\$ 1,476,792</u>

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. Attachment A reflects the preliminary program reductions beings 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.

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.

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>
TOTAL - ALL EXPENDITURES	<u>\$10,411,582</u>	<u>\$8,025,278</u>	<u>(\$2,386,304)</u>***

* 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	282,240
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
TOTAL	3,934	\$ 10,602,130	\$ 963,830	103	\$ 1,611,126	\$ 13,177,086	850	\$ 2,748,900	\$ 499,800	\$ 3,248,700	4,784	\$ 16,425,786

4-12

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><u>\$ 12,059,494</u></u>	<u><u>\$ 11,977,447</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 11,810,889	\$ 11,728,842	\$ 0
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 11,810,889</u></u>	<u><u>\$ 11,728,842</u></u>	<u><u>\$ 0</u></u>
FTE Positions	299.0	299.0	0.0
Special Project Appointments	2.0	2.0	0.0
TOTAL	<u><u>301.0</u></u>	<u><u>301.0</u></u>	<u><u>0.0</u></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.

*SWAM
February 16, 1995
Attachment 5*

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor.

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>
All Funds:			
State Operations	\$ 12,642,730	\$ 12,098,622	\$ (336,538)
Capital Improvements	262,376	262,376	0
TOTAL	<u><u>\$ 12,905,106</u></u>	<u><u>\$ 12,360,998</u></u>	<u><u>\$ (336,538)</u></u>
State General Fund:			
State Operations	\$ 12,570,435	\$ 12,026,327	\$ (334,616)
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 12,570,435</u></u>	<u><u>\$ 12,026,327</u></u>	<u><u>\$ (334,616)</u></u>
FTE Positions	306.0	299.0	0.0
Special Project Appointments	2.0	2.0	0.0
TOTAL	<u><u>308.0</u></u>	<u><u>301.0</u></u>	<u><u>0.0</u></u>
Average Inmate Census	604	591	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.

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 BILL No. 170

By Committee on Ways and Means

2-1

9 AN ACT concerning the university of Kansas medical center; relating to
10 the acquisition of data processing hardware or software for the uni-
11 versity hospital information systems.

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

14 Section 1. Each acquisition of data processing hardware or software
15 by the university of Kansas medical center for the university hospital
16 information systems shall be exempt from the provisions of K.S.A. 75-
17 4705, 75-4706, 75-4707, 75-4709 and 75-3739 and amendments thereto
18 and shall not be subject to approval under any statute other than those
19 contained in article 3 or article 7 of chapter 76 of the Kansas Statutes
20 Annotated. In addition to other procedures, the university of Kansas med-
21 ical center is hereby authorized to acquire data processing hardware and
22 software for the university hospital information systems by sole source
23 negotiation. The university of Kansas medical center shall submit a writ-
24 ten report in each calendar quarter to the secretary of administration and
25 to the chairpersons of the senate committee on ways and means and the
26 house of representatives committee on appropriations on all contracts for
27 acquisition of data processing hardware and software entered into under
28 this section during such calendar quarter.

29 Sec. 2. This act shall take effect and be in force from and after its
30 publication in the Kansas register.

The university of Kansas medical center shall file with the director of purchases of the department of administration and shall update periodically a plan for future acquisitions under this section.

SWAM
February 16, 1995
Attachment 6

SENATE BILL No. 174

By Committee on Ways and Means

2-1

9 AN ACT concerning the university of Kansas medical center; relating to
10 the purchase of certain goods and services under certain conditions;
11 providing for certain exemptions.
12

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

14 Section 1. (a) The university of Kansas medical center is hereby au-
15 thorized to make direct purchases of goods and services in amounts of
16 not more than \$25,000 for any individual purchase. Each such purchase
17 may be made in the open market or in accordance with such procedures
18 and under such conditions as may be prescribed and established by the
19 director of purchases of the university of Kansas medical center for pur-
20 chases under this subsection.

21 (b) The university of Kansas medical center is hereby authorized to
22 enter into contracts with consortiums of health care providers and other
23 purchasing groups for the acquisition of supplies and other materials or
24 equipment for use by the university hospital and to acquire such supplies
25 and other materials or equipment in conjunction with or through such
26 consortiums of health care providers and other purchasing groups.

27 (c) No purchase or other acquisition by the university of Kansas med-
28 ical center pursuant to this section or any contract entered into by the
29 university of Kansas medical center under this section shall be subject to
30 the provisions of K.S.A. 75-3739 and amendments thereto and no such
31 purchase, acquisition or contract shall be subject to approval under any
32 other statute other than those contained in article 3 or article 7 of chapter
33 76 of the Kansas Statutes Annotated.

34 Sec. 2. This act shall take effect and be in force from and after its
35 publication in the Kansas register.

Prior to entering into a contract under this subsection (b), the university of Kansas medical center shall advise and consult with the director of purchases of the department of administration concerning any such contract.

SWAM
Feb. 16, 1995
Attachment 7