

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Steve Morris at 10:05 a.m. on March 16, 2001 in Room 123-S of the Capitol.

All members were present except: All Present

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Stuart Little, Kansas Legislative Research Department
Paul West, Kansas Legislative Research Department
Audrey Nogle, Kansas Legislative Research Department
Robert Chapman, Kansas Legislative Research Department
Michael Corrigan, Assistant Revisor, Revisor of Statutes Office
Julie Weber, Administrative Assistant to the Chairman
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Dick Carter, Director for External Relations, Kansas Board of Regents
Patrick T. Lehman, on behalf of the Kansas Fire Services Alliance
Jason White, representing Kansas Emergency Medical Services Board
David Lake, Administrator, Board of Emergency Medical Services
R. E. "Tuck" Duncan, on behalf of Kansas Emergency Medical Services Association, the
Emergency Medical Technicians and American Medical Response

Others attending: See attached guest list

The Chairman turned the Committee's attention to review of the minutes of the meetings of January 18, and February 1, 2001. Senator Jordan moved, with a second by Senator Feleciano, to approve the minutes of January 18, and February 1, 2001. Motion carried by a voice vote.

Judicial Branch (Revisited)

Senator Feleciano moved, with a second by Senator Jackson, to reconsider the action taken the day before, March 15, 2001, on the Subcommittee budget report on the Judicial Branch. Motion carried by a voice vote.

Senator Feleciano moved, with a second by Senator Downey, to remove the Governor's pay plan regarding the Subcommittee budget report on the Judicial Branch. Motion carried by a voice vote.

Senator Feleciano moved, with a second by Senator Jackson, to adopt the Subcommittee report as amended on the Judicial Branch. Motion carried by a voice vote.

Subcommittee budget reports on:

Department of Corrections Systemwide (Attachment 1)

Senator Jackson reported that the Subcommittee concurs with the Governor's recommendation for FY 2001 with adjustments as listed in the Subcommittee budget report.

Senator Jackson reported that the Subcommittee concurs with the Governor's recommendation for FY 2002 with adjustments and comments as listed in the Subcommittee budget report.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS on March 16, 2001 in Room 123-S of the Capitol.

It was noted that on page 8, Item 5, line 3, the spelling of the word "nature" should be "natural".

Senator Adkins expressed concern regarding the level of funding for the Department of Corrections for supervision of out-of-state probationers in Kansas. Committee discussion followed with Charles E. Simmons, Secretary, Department of Corrections, regarding the Interstate Compact for Adult Offender Supervision. Senator Kerr agreed and thought it a good issue to be revisited at Omnibus.

El Dorado Correctional Facility (Attachment 2)

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with adjustment as listed in the Subcommittee budget report.

Senator Kerr mentioned that the Subcommittee dealt with almost all issues on a systemwide basis.

Norton Correctional Facility (Attachment 3)

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with adjustment as listed in the Subcommittee budget report.

Topeka Correctional Facility (Attachment 4)

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with adjustment as listed in the Subcommittee budget report.

Winfield Correctional Facility (Attachment 5)

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Kerr reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with comments as listed in the Subcommittee budget report.

Senator Kerr moved, with a second by Senator Jackson, to adopt the Subcommittee budget reports on the Department of Corrections Systemwide, El Dorado Correctional Facility, Topeka Correctional Facility and Winfield Correctional Facility. Motion carried by a voice vote.

Subcommittee budget reports on:

Ellsworth Correctional Facility (Attachment 6)

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with adjustment as listed in the Subcommittee budget report.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS on March 16, 2001 in Room 123-S of the Capitol.

Hutchinson Correctional Facility (Attachment 7)

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with adjustment as listed in the Subcommittee budget report.

Lansing Correctional Facility (Attachment 8)

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with adjustment as listed in the Subcommittee budget report.

Larned Correctional Mental Health Facility (Attachment 9)

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2001.

Senator Jordan reported that the Subcommittee concurred with the Governor's recommendation for FY 2002 with adjustment as listed in the Subcommittee budget report.

Senator Jordan moved, with a second by Senator Jackson, to adopt the Subcommittee budget reports on the Ellsworth Correctional Facility, Hutchinson Correctional Facility, Lansing Correctional Facility, and Larned Correctional Mental Health Facility. Motion carried by a voice vote.

Copies of the Kansas Department of Corrections, Offender Programs Evaluation – Volume IV, Recapitulation: Summary of Outcomes were distributed by staff(Attachment 10).

Chairman Morris opened the public hearing on:

HB 2189--Public safety officers, educational benefits for dependents

Staff briefed the committee on the bill.

Chairman Morris welcomed Dick Carter, Jr., Director for External Relations, Kansas Board of Regents, who spoke in support of **HB 2189** (Attachment 11). Mr. Carter noted in his closing testimony that they do not anticipate a deluge of participants in the program should the bill be passed in its amended form; the Regents would request that the committee consider the potential budget implications that these changes could have and would request appropriate additional revenue to support the program.

Mr. Carter also distributed copies of the Kansas Board of Regents, Tuition and Fee Waiver, Dependents of Slain Public Safety Officers, FY 2001 (Attachment 12).

Chairman Morris welcomed Patrick T. Lehman on behalf of the Kansas Fire Service Alliance, who spoke in support of **HB 2189** (Attachment 13). Mr. Lehman noted that they request that the committee amend the bill to include dependents of volunteer firefighters in the eligibility specified by this legislation.

Chairman Morris welcomed Jason White, Kansas Emergency Medical Services Association, who spoke in support of **HB 2189** (Attachment 14). Mr. White mentioned that these types of programs provide assurance to EMS personnel that their community service will provide important benefits to their families if tragedy occurs.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS on March 16, 2001 in Room 123-S of the Capitol.

Chairman Morris welcomed David Lake, Administrator, Kansas Board of Emergency Medical Services, who spoke in support of **HB 2189** (Attachment 15). Mr. Lake mentioned that if an attendant dies or becomes permanently disabled in the performance of his job as an EMS attendant, **SB 2189** allows for the dependents to receive tuition to the state-supported colleges and universities.

Written testimony in support of **HB 2189** was received from R. E. "Tuck" Duncan, American Medical Response (Attachment 16).

The Chairman thanked the conferees for appearing before the committee. There being no further conferees to come before the committee, the Chairman closed the public hearing on **HB 2189**.

Senator Jackson moved, with a second by Senator Kerr, to remove the amendment the House added in regard to the injuries going beyond the original scope of the program on **HB 2189**. Motion carried by a voice vote.

Senator Adkins moved, with a second by Senator Downey, to pass **HB 2189** favorable as amended. Motion carried by a roll call vote.

Chairman Morris turned the Committee's attention to discussion of:

SB 304--Providing additional bonding authority to the secretary of transportation

Staff briefed the committee on the bill. Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department, explained that **SB 304** is the Governor's Pay Plan and the items in each of the two subcommittee reports that the Committee worked.

Senator Feleciano moved, with a second by Senator Jordan, to direct staff to make technical corrections to the bill and pass **SB 304** favorable as amended. Motion carried by a roll call vote.

SB 85--Compensation for certain nonjudicial employees, docket fees

Senator Adkins explained a proposed **Substitute for SB 85**. Committee questions and discussion followed.

Copies of the following information were distributed:

- Docket Fee Increases Contained in **Substitute For SB 85** (Attachment 17)
- Proposed Docket Fee Increases (Attachment 18)
- Response from Kathy Porter, Executive Assistant to the Judicial Administrator, Office of Judicial Administration, to Senator Paul Feleciano, Jr., dated March 16, 2001 (Attachment 19)
- Response from Jerry Sloan, Budget and Fiscal Officer, Office of Judicial Administration, to Senator David Adkins, dated March 16, 2001 (Attachment 20)

Senator Adkins moved, with a second by Senator Kerr, to report **Substitute for SB 85** favorably (Attachment 21). Motion carried by a roll call vote.

HB 2017--Establishing the Kansas postsecondary education savings expense fund

Staff briefed the committee on the bill.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS on March 16, 2001 in Room 123-S of the Capitol.

Senator Feleciano moved, with a second by Senator Schodorf, to pass **HB 2017** as favorable. Motion carried by a roll call vote.

Senator Salmans moved, with a second by Senator Huelskamp, for a **Substitute for HB 2017** as amended to create the Kansas Postsecondary Education Savings Program Expense Fund. Motion carried by a voice vote.

The meeting was adjourned at 11:50 a.m. The next meeting is scheduled for March 19, 2001.

**SENATE WAYS AND MEANS COMMITTEE
GUEST LIST**

DATE March 16, 2001


NAME	REPRESENTING
Charles Simmons	Dept. of Corrections
Dennis Williams	Dept. of Corrections
Carol Reed	SPS
Kathy Porter	Judicial Branch
Kim Fowler	Judicial Branch
Jerry Sloan	Judicial Branch
Dan Holmes	MIMMO, INC.
STEVEN SMITH	SRW
B. Mann	DofA
Danielle Hox	DofA
Karen Whitney	DofA
DICK CARTER, JR	KBOR
PEGGY HANNA	Office of State Treasurer

2001 CORRECTIONS SUBCOMMITTEE
FY 2001 and FY 2002

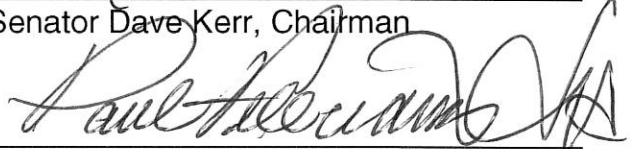
Department of Corrections
El Dorado Correctional Facility
Norton Correctional Facility
Topeka Correctional Facility
Winfield Correctional Facility



Senator Dave Jackson



Senator Dave Kerr, Chairman



Senator Paul Feleciano, Jr.

Senate Ways and Means
3-16-01
Attachment 1

House Committee Report

Agency: Department of Corrections

Bill No. 2545

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 749

Budget Page No. 125

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 76,526,150	\$ 76,801,150	\$ (69,378)
Aid to Local Units	17,628,690	17,628,690	(100,000)
Other Assistance	0	0	0
Subtotal - Operating	\$ 94,154,840	\$ 94,429,840	\$ (169,378)
Capital Improvements	12,436,587	12,436,587	0
TOTAL	\$ 106,591,427	\$ 106,866,427	\$ (169,378)
State General Fund:			
State Operations	\$ 61,246,942	\$ 61,521,942	\$ (69,378)
Aid to Local Units	16,878,690	16,878,690	(100,000)
Other Assistance	0	0	0
Subtotal - Operating	\$ 78,125,632	\$ 78,400,632	\$ (169,378)
Capital Improvements	6,010,000	6,010,000	0
TOTAL	\$ 84,135,632	\$ 84,410,632	\$ (169,378)
Other Funds:			
State Operations	\$ 15,279,208	\$ 15,279,208	\$ 0
Aid to Local Units	750,000	750,000	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 16,029,208	\$ 16,029,208	\$ 0
Capital Improvements	6,426,587	6,426,587	0
TOTAL	\$ 22,455,795	\$ 22,455,795	\$ 0
Percentage Change:			
Operating Expenditures:			
All Funds	3.7%	4.0%	0.0
State General Fund	3.0	3.4	0.0
FTE Positions	314.0	315.0	0.0
Other Unclass. Positions	13.0	15.0	0.0
TOTAL	327.0	330.0	0.0

Agency Request/Governor's Recommendation

Change from 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$94,154,840 (\$78,125,632 SGF), a reduction of \$316,335 or 0.3 percent from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority 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
- Agency reports a number of non-SGF funding shifts for FY 2000 to FY 2001 and new funds in the current year
 - \$186,629 in special revenue funds from the Criminal Justice Coordinating Council, Kansas Sentencing Commission, and Department of Education
- The 2000 Legislature provided the agency with 12.0 FTE and \$250,000 in special revenue funds to supervise inmate work crews after the Governor removed them from the budget. The positions were given to the Department of Correction. Using the authority granted by the Legislature, the Secretary shifted the positions to the Lansing and Norton facilities.
- Additionally, the agency has shifted positions from the facilities to the central office to staff a new sentence computation unit. Funding of \$147,884 and 6.0 FTE were transferred from facilities to the central office to review offender files and maintain a centralized sentencing schedule unit for offenders.

Salaries and Wages

- Request for salaries and wages total \$16,684,943 for 314.0 FTE.
- Includes \$109,1200 for longevity payments
- An average 2.6 percent shrinkage
- Includes 1.0 FTE increase for positions shifted to the Central Office from the correctional facilities
- 13.0 unclassified FTE including 6.0 FTE parole officers, 4.0 computer support, 1.0 in administration, and 2.0 crime victims notification program funded with federal and fee funds

Governor's Recommendation

The Governor recommends FY 2001 revised expenditures of \$94,429,840 (\$78,400,632 SGF), a reduction of \$41,335 from the amount approved by the 2000 Legislature.

- Concur with the agency's revised request, with the following adjustments.
- Add \$1,000,000 SGF supplemental appropriation for local jail payments.
 - Currently, the agency pays the costs for offenders in the custody of the Secretary of Corrections, but housed on a conditional release revocation in a local jail before they are moved to a state correctional facility
 - Costs for local jail payments in the last several fiscal years have been over \$1.0 million over the budgeted amount, and payments have been delayed from one fiscal year to the next for several years
 - \$1,925,000 SGF is already budgeted for FY 2001
- Reductions based on Substitute for Senate Bill 323.
 - \$725,000 SGF is reduced for the inmate food service contract (\$307,000) and inmate medical and mental health care (\$418,000)
 - Inmate food and medical contracts are based on the average daily inmate population, which will decline from 8,382 in the approved FY 2001 budget to 7,740 in FY 2002.

House Budget Committee Recommendations

The House Budget Committee concurs with the following adjustment.

1. Reappropriate \$69,378 SGF from the Day Reporting Center SGF match due to delayed opening of the program. Additionally, reappropriate \$100,000 SGF from unexpended funds in the community corrections grants from FY 2000, which were carried forward to FY 2001. The agency reports there were unexpended funds totaling \$395,860. Of that amount, community corrections programs requested and were awarded \$286,525, and the balance \$100,000 SGF remains. The funds will be combined with FY 2002 savings and shifted to fund offender programs in FY 2002.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendations

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Department of Corrections

Bill No. 342

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 749 **Budget Page No.** 125

<u>Expenditure Summary</u>	<u>Agency Request FY 01</u>	<u>Governor's Recommendation FY 01</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 76,526,150	\$ 76,801,150	\$ (69,378)
Aid to Local Units	17,628,690	17,628,690	(100,000)
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 94,154,840</u>	<u>\$ 94,429,840</u>	<u>\$ (169,378)</u>
Capital Improvements	12,436,587	12,436,587	0
TOTAL	<u><u>\$ 106,591,427</u></u>	<u><u>\$ 106,866,427</u></u>	<u><u>\$ (169,378)</u></u>
State General Fund:			
State Operations	\$ 61,246,942	\$ 61,521,942	\$ (69,378)
Aid to Local Units	16,878,690	16,878,690	(100,000)
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 78,125,632</u>	<u>\$ 78,400,632</u>	<u>\$ (169,378)</u>
Capital Improvements	6,010,000	6,010,000	0
TOTAL	<u><u>\$ 84,135,632</u></u>	<u><u>\$ 84,410,632</u></u>	<u><u>\$ (169,378)</u></u>
Other Funds:			
State Operations	\$ 15,279,208	\$ 15,279,208	\$ 0
Aid to Local Units	750,000	750,000	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 16,029,208</u>	<u>\$ 16,029,208</u>	<u>\$ 0</u>
Capital Improvements	6,426,587	6,426,587	0
TOTAL	<u><u>\$ 22,455,795</u></u>	<u><u>\$ 22,455,795</u></u>	<u><u>\$ 0</u></u>
Percentage Change:			
Operating Expenditures:			
All Funds	3.7%	4.0%	0.0
State General Fund	3.0	3.4	0.0
FTE Positions			
All Funds	314.0	315.0	0.0
Other Unclass. Positions	13.0	15.0	0.0
TOTAL	<u><u>327.0</u></u>	<u><u>330.0</u></u>	<u><u>0.0</u></u>

Senate Subcommittee Recommendations

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

1. Reappropriate \$69,378 SGF from the Day Reporting Center SGF match due to delayed opening of the program. Additionally, reappropriate \$100,000 SGF from unexpended funds in the community corrections grants from FY 2000, which were carried forward to FY 2001. The agency reports there were unexpended funds totaling \$395,860. Of that amount, community corrections programs requested and were awarded \$286,525 in the Governor's budget and the balance of \$100,000 SGF remains. The funds will be combined with FY 2002 savings and shifted to fund offender programs in FY 2002.

House Committee Report

Agency: Department of Corrections

Bill No. 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 749

Budget Page No. 125

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 89,166,526	\$ 78,117,027	\$ 1,669,378
Aid to Local Units	22,781,670	17,671,470	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 111,948,196</u>	<u>\$ 95,788,497</u>	<u>\$ 1,669,378</u>
Capital Improvements	14,742,809	13,016,809	0
TOTAL	<u><u>\$ 126,691,005</u></u>	<u><u>\$ 108,805,306</u></u>	<u><u>\$ 1,669,378</u></u>
State General Fund:			
State Operations	\$ 71,669,930	\$ 60,556,818	\$ 169,378
Aid to Local Units	22,781,670	17,671,470	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 94,451,600</u>	<u>\$ 78,228,288</u>	<u>\$ 169,378</u>
Capital Improvements	7,810,000	5,835,000	0
TOTAL	<u><u>\$ 102,261,600</u></u>	<u><u>\$ 84,063,288</u></u>	<u><u>\$ 169,378</u></u>
Other Funds:			
State Operations	\$ 17,496,596	\$ 17,560,209	\$ 1,500,000
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 17,496,596</u>	<u>\$ 17,560,209</u>	<u>\$ 1,500,000</u>
Capital Improvements	6,932,809	7,181,809	0
TOTAL	<u><u>\$ 24,429,405</u></u>	<u><u>\$ 24,742,018</u></u>	<u><u>\$ 1,500,000</u></u>
Percentage Change:			
Operating Expenditures:			
All Funds	18.9%	1.4%	0.0
State General Fund	20.9	(0.2)	0.0
FTE Positions			
All Funds	327.0	319.0	0.0
Unclassified Temp. Positions	7.0	9.0	0.0
TOTAL	<u><u>334.0</u></u>	<u><u>328.0</u></u>	<u><u>0.0</u></u>

Agency Estimate/Governor's Recommendation

Department of Corrections FY 2002 operating expenditures request totals \$111,948,196 (including \$94,451,600 SGF), an increase of \$17,793,356 (18.9 percent) over the agency's revised FY 2001 estimate

- Includes \$14,756,186 for salaries and wages for 327.0 FTE
- Includes full funding of longevity (\$121,720) and an averaged 2.6 percent shrinkage rate
- Includes request for 13.0 new FTE. Includes: 2.0 FTE computer programmer positions; 6.0 FTE special enforcement parole officer, 5.0 are currently Unclassified Temporary positions funded by parole supervision fee funds and Byrne Grants and 1.0 new special enforcement parole; 4.0 FTE for the correctional industries program

Agency Requested Enhancements for FY 2002

- Request totals \$18,352,735 including \$1,751,000 in capital improvement requests, all but \$983,424 from SGF.
- Absent the Enhancement request, the budget request represents an increase of \$1,746,843 or 1.6 percent

Governor's Recommendation

The Governor recommends FY 2002 operating expenditures of \$95,788,497, (\$78,228,288 SGF)

- A reduction of \$16.1 million from the agency's request and a \$1,358,657 (or 1.4 percent) increase from the FY 2001 recommendation
- \$14.3 million for salaries and wages
- \$53.1 million for contractual services
- \$5.4 million for commodities
- \$1.8 million capital outlay
- \$3.5 million for debt service principal
- \$13.0 million for capital improvements
- \$17.7 million for aid to local units
- Includes 4.0 FTE requested as enhancements for correctional industries
- Includes \$1.0 million SGF enhancements for offender programs and \$855,800 SGF enhancement for community corrections.
- A \$273,047 reduction in the inmate food contract due to decreased average daily population as a result of substitute for Senate Bill 323.

House Committee Recommendations

The House Committee concurs with the following adjustments.

1. The Budget Committee shifts funding and spends for special revenue fund ending balances and SGF to add \$1,745,998 all funds (\$545,998 SGF) for programs.

The Subcommittee directs \$1,000,000 funding to inmate education programs and \$745,998 for substance abuse programs. The Subcommittee recommends spending \$150,000 from the ending balance of Kansas Correctional Industries, reducing the ending balance from \$3,297,780 to \$3,147,780. The Subcommittee further recommends spending \$1,050,000 from the Inmate Benefits Fund, reducing the ending balance from \$1,334,000 to \$284,000. These ending balance expenditures will not impact any approved programs or projects from these funds. The Subcommittee also recommends shifting \$300,000 from the Corrections Institutions Building Fund ending balance (currently \$380,000) to debt service payments, and shifting \$300,000 SGF in the Governor's budget for debt service to offender programs. Additionally, the agency reported the opening of the Day Reporting Centers will be delayed and State General Fund savings in the recommended Governor's budget are available, \$69,378 in FY 2001 and \$76,620 in FY 2002. The Subcommittee recommends carrying forward the 2001 savings and combined with the 2002 savings, resulting in a total of \$145,998 SGF from Day Reporting Centers available for programs. The SGF recommendation from the community corrections fund and day reporting centers will show a \$169,378 SGF increase in FY 2002 over the Governor's recommendation, but a reduction of \$169,378 SGF will appear in the FY 2001 recommendation. The Subcommittee recommendations are reflected in the following table:

Funding Source	Funds
Correctional Industries Fund	\$ 150,000
Inmate Benefits Fund	1,050,000
State General Fund	545,998
-FY 01 Day Reporting Center	69,378
-FY 01 Community Corrections Savings	100,000
-FY 02 Day Reporting Center	76,620
-FY 02 CIBF for SGF Debt Swap	300,000
TOTAL	\$ 1,745,998

The Governor's FY 2002 budget reduced expenditures for offender programs by \$2.1 million, a 14.9 percent reduction from FY 2001. The Governor's FY 2001 recommendation was a reduction of \$2.7 million or 20.1 percent below the FY 2000 approved limit. The Subcommittee is concerned about these cuts which eliminated all academic education in the facilities and reduce substance abuse treatment programs in the correctional facilities by 78.8 percent, reducing the number of contracted treatment slots from 232 to 48. The Subcommittee's recommendation will not restore all the reductions in the Governor's budget, but within existing resources, a \$2.1 million shortfall is lessened by \$1.7 million.

2. The Budget Committee notes the Governor's budget recommendation includes \$1.4 million SGF for uniformed correctional officer salaries in addition to the 3.0

percent annualized classified salary adjustment. The salary enhancements are very helpful, but insufficient to address the need to recruit and retain employees who can receive higher pay in other public and private public safety job. The Department of Corrections requested a 5.0 percent pay increase for \$3.4 million and a 6.0 percent bonus for \$3.6 million, as well as the transfer of all Corrections-KPERS members to Kansas Police and Fire Retirement for \$1.2 million. The Governor did not recommend these enhancements. Review of Omnibus.

- 3. The Budget Committee commends the Department of Corrections and all the correctional facilities for the contributions of inmate labor to communities in Kansas. The work of inmate work crews provide significant savings to communities and their value is often only noted when their labor is lost. The following table portrays by facility the amount of inmate hours for community service and the monetary value (factored at minimum wage) of the work crews in FY 2000, the last full year.

El Dorado	109,649 hours	\$ 564,694
Ellsworth	27,225 hours	140,209
Hutchinson	115,304 hours	593,816
Lansing	213,310 hours	1,098,547
Larned*	176,286 hours	918,941
Norton	91,534 hours	471,400
Topeka	82,270 hours	423,691
Winfield	272,400 hours	1,438,447
TOTAL	1,087,978 hours	\$ 5,649,745

* Includes Larned State Hospital work assignments

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendations

The House Committee of the Whole has not considered this budget.



Senate Subcommittee Report

Agency: Department of Corrections

Bill No. 348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 749

Budget Page No. 125

<u>Expenditure Summary</u>	<u>Agency Estimate FY 02</u>	<u>Governor's Recommendation FY 02</u>	<u>Senate Subcommittee Adjustments*</u>
All Funds:			
State Operations	\$ 89,166,526	\$ 78,117,027	\$ 529,110
Aid to Local Units	22,781,670	17,671,470	100,000
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 111,948,196</u>	<u>\$ 95,788,497</u>	<u>\$ 629,110</u>
Capital Improvements	14,742,809	13,016,809	0
TOTAL	<u><u>\$ 126,691,005</u></u>	<u><u>\$ 108,805,306</u></u>	<u><u>\$ 629,110</u></u>
State General Fund:			
State Operations	\$ 71,669,930	\$ 60,556,818	\$ (244,926)
Aid to Local Units	22,781,670	17,671,470	100,000
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 94,451,600</u>	<u>\$ 78,228,288</u>	<u>\$ (144,926)</u>
Capital Improvements	7,810,000	5,835,000	0
TOTAL	<u><u>\$ 102,261,600</u></u>	<u><u>\$ 84,063,288</u></u>	<u><u>\$ (144,926)</u></u>
Other Funds:			
State Operations	\$ 17,496,596	\$ 17,560,209	\$ 774,036
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 17,496,596</u>	<u>\$ 17,560,209</u>	<u>\$ 774,036</u>
Capital Improvements	6,932,809	7,181,809	0
TOTAL	<u><u>\$ 24,429,405</u></u>	<u><u>\$ 24,742,018</u></u>	<u><u>\$ 774,036</u></u>
Percentage Change:			
Operating Expenditures:			
All Funds	18.9%	1.4%	0.0
State General Fund	20.9	(0.2)	0.0
FTE Positions			
All Funds	327.0	319.0	0.0
Unclassified Temp. Positions	7.0	9.0	0.0
TOTAL	<u><u>334.0</u></u>	<u><u>328.0</u></u>	<u><u>0.0</u></u>

* Includes reduction of \$419,270 (\$314,304 (SGF) to remove the Governor's pay plan.

Senate Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendation, with the following adjustments and comments:

1. Delete \$419,270 (\$314,304 SGF) to remove the Governor's pay plan, including \$134,852 for longevity bonuses, \$31,293 for unclassified merit, and \$235,125 for a classified base salary increase.
2. The Subcommittee shifts funding and spends from special revenue fund ending balances and SGF to add \$1,800,000 all funds (\$1,220,998 SGF) for offender programs. The Subcommittee directs \$1.8 million for offender programs targeted in the following manner: \$800,000 for academic education; \$350,000 for vocational education; and \$650,000 for substance abuse treatment. Funding for the recommendation is reflected in the following table:

Funding Sources	Amount
State General Fund	
FY 01 Community Corrections Savings	\$ 100,000
FY 01 Day Reporting Center Savings	69,378
FY 02 Day Reporting Center Savings	76,620
FY 02 CIBF for SGF Debt Swap	300,000
FY 02 VOITIS for SGF Swap	401,000
FY 02 Food Contract Savings	234,000
FY 02 Medical Contract Savings	40,000
Subtotal-SGF	\$ 1,220,998
Inmate Benefits Fund	579,002
TOTAL	\$ 1,800,000

The Subcommittee recommended spending comes from the following sources. The agency reported the opening of the Day Reporting Centers in FY 2001 and FY 2002 will be delayed and SGF savings in the Governor's budget recommendation are available, \$69,378 in FY 2001 and \$76,620 in FY 2002. A total of \$100,000 SGF is available in community corrections grants which were not expended in FY 2000 and carried forward to FY 2001. Additional SGF savings due to reduced prison populations as the result of Senate Bill 323, produced additional savings of \$234,000 in the food contract and \$40,000 in the medical contract. The Governor had also recommended \$840,463 SGF funding for the operation of the female correctional conservation camp. Federal VOITIS funds are available, however, and can be used to fund 48.0 percent of the program's cost, thus VOITIS funds are used to supplant 48.0 percent of the SGF recommendation, producing \$401,000 SGF. Finally, the Subcommittee recommends \$579,002 from the Inmate Benefits Fund, reducing the ending balance in the fund from \$1,334,000 to \$754,998.

The Governor's FY 2002 budget reduced expenditures for offender programs by \$2.1 million, a 14.9 percent reduction from FY 2001. The Governor's FY 2001

recommendation was a reduction of \$2.7 million or 20.1 percent below the FY 2000 approved amount. The Subcommittee is concerned about these cuts which eliminate all academic education in the facilities and reduces substance abuse treatment programs in the prisons by 78.8 percent, reducing the number of contracted slots from 232 to 48.

The Subcommittee believes programs for offenders in prison and on postrelease supervision are important and worth funding. Included in the report is the Department of Corrections' evaluation of the outcomes of offender programs, which conveys one measure of the effectiveness of various programs on recidivism rates (Attachment A). The Subcommittee notes vocational education appears to be one of the most effective programs, while academic education is less clearly a success, basic skills including literacy should be supported. The Subcommittee commends the agency for collecting data on the effectiveness of programs, and encourages them to continue collecting and using the data.

3. The Subcommittee notes the Department of Corrections has chosen not to renew the contract with the academic educational provider, Correctional Programs Management (CPM) at the end of FY 2001. The agency expressed disappointment and problems with the business practices of the vendor, as well as disappointment at the quality of education provided. The Subcommittee notes for the life of the contract with CPM, which began in July 1997, problems were often reported to the Legislature and questions were raised each year regarding the quality of service with the provider and the Subcommittee was continually reassured by the Department of Corrections they were satisfied with the vendor. The Subcommittee report from March 1998 notes "its continued concern regarding the contracted provider of educational services [and]. . . that CPM is not an accredited educational provider and that some employees have complained about CPM's lack of professionalism."

The Governor's recommendation provided no funding in FY 2002 for academic education, and the agency must now find volunteer basic educational services, or continue its negotiations with a variety of potential service providers including the Board of Regents, community colleges, and Southeast Kansas Education Service Center. The Subcommittee will monitor carefully the agency's efforts to obtain suitable academic education programs.

4. The Subcommittee reviewed the impact on the Department of Corrections' budgets of Senate Bill 323. The bill, which was implemented in stages during the later half of calendar 2000, has had a significant impact on the prison population as well as the population on postrelease supervision. The prison population has been reduced from 8,784 to 8,352 (432 reduction) between June 2000 and December 31, 2000. The number of offenders on postrelease supervision has also been reduced from 5,385 to 3,787 (1,598 reduction) during the same period. Because of reductions in the inmate population, the agency has gained savings of \$725,000 in FY 2001 and \$2.5 million in FY 2002, primarily in the food service and inmate medical and mental health contracts. The Subcommittee notes,

however, the savings are not as great as they might have been for the inmate medical and mental health contract. During the Subcommittee review, it was revealed that the agency's contract with Prison Health Services, the contracted medical provider, makes adjustments to the contract payments if the inmate population fluctuates up or down in 10 percent increments. The cost for exceeding the contracted levels escalates upward with each incremental change, while savings due to decreased population are only reduced at a flat rate. Every year of the contract, the agency has had to make additional per capita payments for increased population, but when the population declines, the State does not receive proportional savings. The Subcommittee encourages the agency, when contract renewal begins in four years, to remedy this inequity.

5. The Subcommittee heard testimony for the agency and many of the wardens who participated in the systemwide efforts to manage the disruption related to the nature gas problems in Hutchinson in late January 2001. Because of the natural gas leaks and explosions, the Hutchinson Correctional Facility was compelled to plan for the emergency evacuation of the 1,000 bed Central Unit on very short notice. In anticipation of an evacuation, 200 inmates were redistributed throughout the other facilities and contingencies were prepared to remove the other 800. The Subcommittee commends the agency's preparation for the crisis and notes the entire system was presented with the opportunity to gain valuable emergency preparedness experience. The correctional facilities were compelled to absorb excess prisoners and cover the additional costs out of their existing budgets. The Secretary reports the movement of offenders increased costs at all the facilities, but he has imposed spending restrictions on all the wardens and will be able to cover all associated costs within the existing budget. The Subcommittee encourages the agency to continue its efforts to recover costs from Kansas Gas Service.
6. The Subcommittee recommends the Ways and Means Capital Improvements Subcommittee review the request for a new 10,000 sq. foot building at the Topeka Correctional Facility. The agency requests \$527,000 from the Kansas Correctional Industries Fund for the building which would include 8,000 sq. feet for industries and 2,000 sq. feet for an industries warehouse. The agency reports limited opportunities for correctional industry employment for female offenders at the Topeka facility under current circumstances.

House Committee Report

Agency: El Dorado Correctional Facility **Bill No.** 2545

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 793

Budget Page No. 161

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 18,175,031	\$ 18,175,031	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 18,175,031</u>	<u>\$ 18,175,031</u>	<u>\$ 0</u>
Capital Improvements	10,255	10,255	0
TOTAL	<u><u>\$ 18,185,286</u></u>	<u><u>\$ 18,185,286</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 17,763,601	\$ 17,763,601	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 17,763,601</u>	<u>\$ 17,763,601</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 17,763,601</u></u>	<u><u>\$ 17,763,601</u></u>	<u><u>\$ 0</u></u>
FTE Positions	468.5	468.5	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>468.5</u></u>	<u><u>468.5</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	1,342	1,150	0

Agency Request/Governor's Recommendation

Change from 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$18,175,031, an increase of \$546,419, or 3.1 percent from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority 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.
- A number of funding and FTE issues in the current year are related to the transition of the RDU for partial year operations in FY 2001 and full year operations in FY 2002

*Senate Ways and Means
3-16-01
Attachment 2*

Salaries and Wages

- Request for salaries and wages total \$15,172,255 for 468.5 FTE positions
- Includes partial year funding of \$1,346,837 SGF for 82.5 FTE salaries and wages (\$942,837) and hiring and training expenses (\$404,000) related to the RDU transition

Governor Recommendation

The Governor concurs with the agency's revised FY 2001 request.

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: El Dorado Correctional Facility

Bill No. 342

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 793 **Budget Page No.** 161

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 18,175,031	\$ 18,175,031	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 18,175,031</u>	<u>\$ 18,175,031</u>	<u>\$ 0</u>
Capital Improvements	10,255	10,255	0
TOTAL	<u><u>\$ 18,185,286</u></u>	<u><u>\$ 18,185,286</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 17,763,601	\$ 17,763,601	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 17,763,601</u>	<u>\$ 17,763,601</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 17,763,601</u></u>	<u><u>\$ 17,763,601</u></u>	<u><u>\$ 0</u></u>
FTE Positions	468.5	468.5	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>468.5</u></u>	<u><u>468.5</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	1,342	1,150	0

Senate Subcommittee Recommendations

Concur.

House Committee Report

Agency: El Dorado Correctional Facility **Bill No.** 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 793

Budget Page No. 161

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 23,578,629	\$ 20,836,020	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 23,578,629</u>	<u>\$ 20,836,020</u>	<u>\$ 0</u>
Capital Improvements	45,412	0	0
TOTAL	<u><u>\$ 23,624,041</u></u>	<u><u>\$ 20,836,020</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 23,495,604	\$ 20,752,995	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 23,495,604</u>	<u>\$ 20,752,995</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 23,495,604</u></u>	<u><u>\$ 20,752,995</u></u>	<u><u>\$ 0</u></u>
FTE Positions	488.5	468.5	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>488.5</u></u>	<u><u>468.5</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	1,477	1,220	0

Agency Estimate/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$23,578,629 (\$23,495,604 SGF), an increase of \$5,403,598, or 29.7 percent over the estimated FY 2001 operating expenditure amount.

- Includes full funding of longevity (\$77,800), merit increases, and a 5.0 shrinkage rate
- Includes \$910,305 for overtime
- Includes full year funding for 82.5 additional FTE for the RDU as well as all costs associated the RDU function and increased average daily population increase resulting from transfer
- 20.0 new FTE positions discussed in the enhancements section
- Absent requested enhancements, the agency's request represents an increase of \$2,964,909, or 16.3 percent over the FY 2001 request

Governor Recommendation

The Governor recommends FY 2002 expenditures of \$20,836,020 (\$20,752,995 State General Fund), an increase of \$2,660,989 or 14.6 percent over the FY 2001 recommendation.

- \$17,549,696 for salaries and wages, including the classified base salary adjustment at 2.25 percent
- \$2,094,048 for contractual services
- \$1,139,667 for commodities
- \$52,609 for capital outlay
- Deletes \$743,589 from the excessive salaries and wages request
- Reduces overtime expenditures by \$125,000
- \$240,715 SGF for the uniformed officer special 2.5 percent salary increase

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: El Dorado Correctional Facility

Bill No. 348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 793 **Budget Page No.** 161

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 23,578,629	\$ 20,836,020	\$ (401,293)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 23,578,629</u>	<u>\$ 20,836,020</u>	<u>\$ (401,293)</u>
Capital Improvements	45,412	0	0
TOTAL	<u><u>\$ 23,624,041</u></u>	<u><u>\$ 20,836,020</u></u>	<u><u>\$ (401,293)</u></u>
State General Fund:			
State Operations	\$ 23,495,604	\$ 20,752,995	\$ (401,293)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 23,495,604</u>	<u>\$ 20,752,995</u>	<u>\$ (401,293)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 23,495,604</u></u>	<u><u>\$ 20,752,995</u></u>	<u><u>\$ (401,293)</u></u>
FTE Positions	488.5	468.5	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>488.5</u></u>	<u><u>468.5</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	1,477	1,220	0

* Includes deletion of \$401,293 SGF to remove the Governor's pay plan.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$401,293 SGF to remove the Governor's pay plan, including \$84,354 for longevity bonuses, \$2,159 for unclassified merit, and \$314,780 for a classified base salary increase.

House Committee Report

Agency: Norton Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Little

Analysis Pg. No. 887

Budget Page No. 347

Expenditure Summary	Agency Estimate FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 11,439,122	\$ 11,380,913	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 11,439,122</u>	<u>\$ 11,380,913</u>	<u>\$ 0</u>
Capital Improvements	263,652	39,678	0
TOTAL	<u><u>\$ 11,702,774</u></u>	<u><u>\$ 11,420,591</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 11,286,122	\$ 11,227,913	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 11,286,122</u>	<u>\$ 11,227,913</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 11,286,122</u></u>	<u><u>\$ 11,227,913</u></u>	<u><u>\$ 0</u></u>
FTE Positions	265.0	266.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>265.0</u></u>	<u><u>266.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	815.0	760.0	0

Agency Estimate/Governor's Recommendation

Change for 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$11,439,122 (\$11,286,122 SGF), an increase of \$140,117 or 1.0 percent more than percent from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority 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
- Includes an unanticipated receipt of \$153,000 from Kansas Correctional Industries for work crews
- Although not discussed in the agency budget request, the addition of 7.0 FTE includes 4.0 FTE for inmate work crews which the 2000 Legislature authorized for the central office to be distributed to the facilities at the Central Office's discretion. The positions including \$143,000 from the Kansas Correctional Industries. The 3.0 FTE remaining are not identified

*Senate Ways and Means
3-16-01
Attachment 3*

- **Salaries and Wages**

- Request for salaries and wages total \$9,529,891 for 265.0 FTE
- Includes \$144,102 for overtime payments
- 5.0 percent shrinkage

Governor Recommendations

The Governor concurs with the revised FY 2001 request, with the following adjustments:

- Reduce \$68,736 for revised salaries and wages
- Add \$10,527 salaries and wages for partial year costs of transfer of 1.0 FTE to the transportation program from Topeka
- Lapse \$213,974 Correctional Institutions Building Fund unused for the new housing unit construction

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Norton Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Little

Analysis Pg. No. 887 Budget Page No. 347

Expenditure Summary	Agency Estimate FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 11,439,122	\$ 11,380,913	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 11,439,122</u>	<u>\$ 11,380,913</u>	<u>\$ 0</u>
Capital Improvements	263,652	39,678	0
TOTAL	<u><u>\$ 11,702,774</u></u>	<u><u>\$ 11,420,591</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 11,286,122	\$ 11,227,913	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 11,286,122</u>	<u>\$ 11,227,913</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 11,286,122</u></u>	<u><u>\$ 11,227,913</u></u>	<u><u>\$ 0</u></u>
FTE Positions	265.0	266.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>265.0</u></u>	<u><u>266.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	815.0	760.0	0

Senate Subcommittee Recommendation

Concur.

House Committee Report

Agency: Norton Correctional Facility

Bill No. 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 887

Budget Page No. 347

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 13,113,365	\$ 11,990,391	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 13,113,365</u>	<u>\$ 11,990,391</u>	<u>\$ 0</u>
Capital Improvements	1,175,551	0	0
TOTAL	<u><u>\$ 14,288,916</u></u>	<u><u>\$ 11,990,391</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 12,946,365	\$ 11,823,391	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 12,946,365</u>	<u>\$ 11,823,391</u>	<u>\$ 0</u>
Capital Improvements	1,175,551	0	0
TOTAL	<u><u>\$ 14,121,916</u></u>	<u><u>\$ 11,823,391</u></u>	<u><u>\$ 0</u></u>
FTE Positions	270.0	266.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>270.0</u></u>	<u><u>266.0</u></u>	<u><u>0.0</u></u>
	815	740	0

Agency Request/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$13,113,365 (\$12,946,365 SGF) an increase of \$1,507,243, or 14.6 percent over the estimated FY 2001 operating expenditure amount.

- Includes full funding of longevity (\$69,080) and a 5.0 shrinkage rate
- Includes \$144,102 for overtime
- Absent requested enhancements, the agency's request represents an increase of \$302,942, or 2.6 percent over the FY 2001 request

Governor's Recommendation

The Governor recommends FY 2002 expenditures of \$11,990,391 (\$11,823,391 SGF), an increase of \$609,478 or 5.4 percent above the FY 2001 recommendation.

- \$10,108,348 for salaries and wages, including increases in shrinkage rates, and base salary adjustment.
- \$1,085,585 for contractual services
- \$744,565 for commodities
- \$51,882 for capital outlay
- \$388,561 for a 2.5 percent uniformed officer base salary increase

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Norton Correctional Facility

Bill No.348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 887 Budget Page No. 347

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 13,113,365	\$ 11,990,391	\$ (267,782)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 13,113,365</u>	<u>\$ 11,990,391</u>	<u>\$ (267,782)</u>
Capital Improvements	1,175,551	0	0
TOTAL	<u><u>\$ 14,288,916</u></u>	<u><u>\$ 11,990,391</u></u>	<u><u>\$ (267,782)</u></u>
State General Fund:			
State Operations	\$ 12,946,365	\$ 11,823,391	\$ (267,782)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 12,946,365</u>	<u>\$ 11,823,391</u>	<u>\$ (267,782)</u>
Capital Improvements	1,175,551	0	0
TOTAL	<u><u>\$ 14,121,916</u></u>	<u><u>\$ 11,823,391</u></u>	<u><u>\$ (267,782)</u></u>
FTE Positions	270.0	266.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>270.0</u></u>	<u><u>266.0</u></u>	<u><u>0.0</u></u>
	815	740	0

* Includes deletion of \$262,782 to remove the Governor's pay plan.

Senate Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$262,782 SGF to remove the Governor's pay plan, including \$74,816 for longevity bonuses and \$187,966 for a classified base salary increase.

House Committee Report

Agency: Topeka Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Little

Analysis Pg. No. 906

Budget Page No. 415

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 12,983,380	\$ 12,760,651	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 12,983,380	\$ 12,760,651	\$ 0
Capital Improvements	36,761	36,761	0
TOTAL	\$ 13,020,141	\$ 12,797,412	\$ 0
State General Fund:			
State Operations	\$ 12,814,795	\$ 12,592,129	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 12,814,795	\$ 12,592,129	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 12,814,795	\$ 12,592,129	\$ 0
FTE Positions	304.0	218.0	0.0
Unclassified Temp. Positions	3.0	3.0	0.0
TOTAL	307.0	221.0	0.0
Avg. Daily Inmate Pop.	710	675	0

Agency Request/Governor's Recommendation

Change from 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$12,983,380, a reduction of \$778,688 (\$801,911 SGF), or 2.5 percent from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority 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
- Includes funding of 3.0 unclassified temporary positions, 2.0 are funded through Community Development Block Grants for community housing and street repair projects and 1.0 funded by the City of Topeka.

*Senate Ways and Means
3-16-01
Attachment 4*

Salaries and Wages

- Request for salaries and wages total \$10,795,604 for 304.0 FTE positions.
- Includes \$325,474 for overtime payments
- 3.6 percent shrinkage
- Cost reductions in most areas due to the beginning of the transfer of the Reception and Diagnostic Unit to El Dorado

Governor's Recommendations

The Governor recommends FY 2001 expenditures of \$12,760,651, a reduction of \$1,001,417 from the approved amount

- Includes \$805,506 SGF reduction for shift at RDU to El Dorado
 - Includes 83.0 FTE reduction
 - \$121,879 SGF reduction and 7.0 FTE to shift inmate transportation hub back to Lansing. The unit was transferred to Topeka, from Lansing in July 1997

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Topeka Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Little

Analysis Pg. No. 906 Budget Page No. 415

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 12,983,380	\$ 12,760,651	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 12,983,380</u>	<u>\$ 12,760,651</u>	<u>\$ 0</u>
Capital Improvements	36,761	36,761	0
TOTAL	<u><u>\$ 13,020,141</u></u>	<u><u>\$ 12,797,412</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 12,814,795	\$ 12,592,129	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 12,814,795</u>	<u>\$ 12,592,129</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 12,814,795</u></u>	<u><u>\$ 12,592,129</u></u>	<u><u>\$ 0</u></u>
FTE Positions	304.0	218.0	0.0
Unclassified Temp. Positions	3.0	3.0	0.0
TOTAL	<u><u>307.0</u></u>	<u><u>221.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	710	675	0

Senate Subcommittee Recommendation

Concur.

House Committee Report

Agency: Topeka Correctional Facility

Bill No. 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 906

Budget Page No. 415

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 12,417,404	\$ 10,824,793	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 12,417,404	\$ 10,824,793	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 12,417,404	\$ 10,824,793	\$ 0
State General Fund:			
State Operations	\$ 12,267,446	\$ 10,674,835	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 12,267,446	\$ 10,674,835	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 12,267,446	\$ 10,674,835	\$ 0
FTE Positions	254.0	247.0	0.0
Other Unclass. Positions	3.0	3.0	0.0
TOTAL	257.0	250.0	0.0
Avg. Daily Inmate Pop.	575	490	0.0

Agency Estimate/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$12,417,404 (\$12,267,446 SGF) a reduction of \$565,976 or 4.4 percent over the estimated FY 2001 operating expenditure amount. Budget reductions reflect the transfer of all costs and most FTE associated with the reception and diagnostic unit from Topeka to the El Dorado Correctional Facility

- Includes full funding of longevity (\$103,640), merit increases, and a 4.5 shrinkage rate
- Includes \$275,098 for overtime
- Absent requested enhancements, the agency's request represents a reduction of \$1,801,730 or 13.9 percent from the FY 2001 request
- Includes the reduction of 50.0 FTE and operating costs associated with the transfer of the reception and diagnostic unit. Because the reception and diagnostic function for female offenders

will continue at the Topeka Facility, some funding and 4.5 FTE will be transferred from the Testing and Evaluation Program to Administration and Classification and Programs

- Add 29.0 FTE to staff remodeled J-Cellhouse beginning March 2002.

Governor's Recommendation

The Governor recommends FY 2002 expenditures of \$10,824,793 (\$10,674,835 SGF), a reduction of \$1,935,858 or 15.2 percent over the FY 2001 recommendation.

- \$9,045,476 for salaries and wages
- \$949,703 for contractual services
- \$774,967 for commodities
- \$54,647 for capital outlay
- \$443,350 SGF reduction to transfer inmate transportation
- \$47,5000 SGF reduction due to reduced average daily population due to Sub. For SB 323
- Includes \$115,352 SGF for uniformed correctional officer salary increase
- Concurs with requested funding and 29.0 FTE additions to staff the renovated J-Cellhouse to be open in March 2002

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Topeka Correctional Facility

Bill No. 348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 906

Budget Page No. 415

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 12,417,404	\$ 10,824,793	\$ (280,995)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 12,417,404</u>	<u>\$ 10,824,793</u>	<u>\$ (280,995)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 12,417,404</u></u>	<u><u>\$ 10,824,793</u></u>	<u><u>\$ (280,995)</u></u>
State General Fund:			
State Operations	\$ 12,267,446	\$ 10,674,835	\$ (277,729)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 12,267,446</u>	<u>\$ 10,674,835</u>	<u>\$ (277,729)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 12,267,446</u></u>	<u><u>\$ 10,674,835</u></u>	<u><u>\$ (277,729)</u></u>
FTE Positions	254.0	247.0	0.0
Other Unclass. Positions	3.0	3.0	0.0
TOTAL	<u><u>257.0</u></u>	<u><u>250.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	575	490	0.0

* Includes deletion of \$280,995 to remove the Governor's pay plan.

Senate Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$280,995 (\$277,729 SGF) to remove the Governor's pay plan, including \$112,829 for longevity bonuses, \$2,183 for unclassified merit, and \$164,018 for a classified base salary increase.

House Committee Report

Agency: Winfield Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Little

Analysis Pg. No. 926

Budget Page No. 475

Expenditure Summary	Agency Estimate FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 9,200,765	\$ 9,200,765	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 9,200,765</u>	<u>\$ 9,200,765</u>	<u>\$ 0</u>
Capital Improvements	107,119	107,119	0
TOTAL	<u><u>\$ 9,307,884</u></u>	<u><u>\$ 9,307,884</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 9,000,254	\$ 9,000,254	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 9,000,254</u>	<u>\$ 9,000,254</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 9,000,254</u></u>	<u><u>\$ 9,000,254</u></u>	<u><u>\$ 0</u></u>
FTE Positions	201.0	201.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>201.0</u></u>	<u><u>201.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	717	687	0

Agency Estimate/Governor's Recommendation

Change for 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$9,200,765, increase of \$71,774 from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority to shift funds and FTE between the facilities and the central office.
 - The funding increase is the result of increased fee funds receipts in FY 2001

*Senate Ways and means
3-16-01
Attachment 5.*

Salaries and Wages

- Request for salaries and wages total \$7,168,746 for 201.0 FTE.
- Includes \$92,049 for overtime payments
- 5.0 percent shrinkage

Governor's Recommendation

The Governor concurs with the agency's revised request

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Winfield Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Little

Analysis Pg. No. 926 Budget Page No. 475

Expenditure Summary	Agency Estimate FY 01	Governor's Recommendation FY 01	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 9,200,765	\$ 9,200,765	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 9,200,765</u>	<u>\$ 9,200,765</u>	<u>\$ 0</u>
Capital Improvements	107,119	107,119	0
TOTAL	<u><u>\$ 9,307,884</u></u>	<u><u>\$ 9,307,884</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 9,000,254	\$ 9,000,254	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 9,000,254</u>	<u>\$ 9,000,254</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 9,000,254</u></u>	<u><u>\$ 9,000,254</u></u>	<u><u>\$ 0</u></u>
FTE Positions	201.0	201.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>201.0</u></u>	<u><u>201.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	717	687	0

Senate Subcommittee Recommendation

Concur.

House Committee Report

Agency: Winfield Correctional Facility

Bill No. 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 926

Budget Page No. 475

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 10,374,576	\$ 9,549,772	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 10,374,576</u>	<u>\$ 9,549,772</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 10,374,576</u></u>	<u><u>\$ 9,549,772</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 10,213,327	\$ 9,388,523	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 10,213,327</u>	<u>\$ 9,388,523</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 10,213,327</u></u>	<u><u>\$ 9,388,523</u></u>	<u><u>\$ 0</u></u>
FTE Positions	201.0	201.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>201.0</u></u>	<u><u>201.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	717	675	0

Agency Request/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$10,374,576 (\$10,213,327 SGF) an increase of \$1,173,811, or 12.8 percent over the estimated FY 2001 operating expenditure amount.

- Includes full funding of longevity (\$55,720) and a 5.0 shrinkage rate
- Includes \$92,049 for overtime
- Absent requested enhancements, the agency's request represents an increase of \$70,383, or less than 1.0 percent over the FY 2001 request

Governor's Recommendation

The Governor recommends FY 2002 expenditures of \$9,549,772 (\$9,388,523 SGF), an increase of \$349,007 or 3.8 percent over the FY 2001 recommendation.

- \$7,635,803 for salaries and wages, including increase in shrinkage rates, and base salary adjustment
- \$1,167,819 for contractual services
- \$695,150 for commodities
- \$51,000 for capital outlay
- Includes \$111,674 SGF for a 2.5 percent uniformed officer pay enhancement

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of Whole has not considered this budget.

Senate Subcommittee Report

Agency: Winfield Correctional Facility

Bill No. 348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 926 **Budget Page No.** 475

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 10,374,576	\$ 9,549,772	\$ (203,758)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 10,374,576</u>	<u>\$ 9,549,772</u>	<u>\$ (203,758)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 10,374,576</u></u>	<u><u>\$ 9,549,772</u></u>	<u><u>\$ (203,758)</u></u>
State General Fund:			
State Operations	\$ 10,213,327	\$ 9,388,523	\$ (199,584)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	<u>\$ 10,213,327</u>	<u>\$ 9,388,523</u>	<u>\$ (199,584)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 10,213,327</u></u>	<u><u>\$ 9,388,523</u></u>	<u><u>\$ (199,584)</u></u>
FTE Positions			
FTE Positions	201.0	201.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>201.0</u></u>	<u><u>201.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.			
	717	675	0

* Includes deletion of \$203,78 to remove the Governor's pay plan.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following comments:

1. Delete \$203,758 (\$199,584 SGF) to remove the Governor's pay plan, including \$60,346 for longevity bonuses and \$143,411 for a classified base salary increase.
2. The Subcommittee continues to support the inmate work release programs, the largest being at the 198-bed Wichita Work Release program. A 48-bed program

exists at Hutchinson as well. The Wichita Work Release participants are required to find employment and return to the facility in the evenings. The 198 program participants at Wichita are learning valuable skills and are better prepared to return to society. During FY 2000, for example offenders leaving the program have on average \$3,500 in a mandatory savings account, paid \$237,318 in dependent support, court costs, restitution and other debts in FY 2001, as well as forwarding \$363,656 to the State General Fund for room and board, and transportation costs. Referring to the agency program evaluation, Attachment A, work release programs are the most effective at reducing recidivism rates.

2001 CORRECTIONS SUBCOMMITTEE
FY 2001 and FY 2002

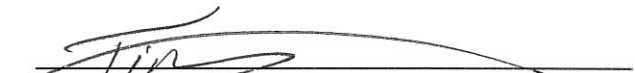
Ellsworth Correctional Facility
Hutchinson Correctional Facility
Lansing Correctional Facility
Larned Correctional Facility



Senator Jim Barone



Senator Nick Jordan, Chairman



Senator Tim Huelskamp

Senate Ways and Means
3-16-01
Attachment 6

House Committee Report

Agency: Ellsworth Correctional Facility **Bill No.** 2545

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 813

Budget Page No. 163

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 8,268,123	\$ 8,268,123	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 8,268,123	\$ 8,268,123	\$ 0
Capital Improvements	6,192,573	6,192,573	0
TOTAL	\$ 14,460,696	\$ 14,460,696	\$ 0
State General Fund:			
State Operations	\$ 8,222,752	\$ 8,222,752	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 8,222,752	\$ 8,222,752	\$ 0
Capital Improvements	617,752	617,752	0
TOTAL	\$ 8,840,504	\$ 8,840,504	\$ 0
FTE Positions	182.5	182.5	0.0
Unclassified Temp. Positions	1.0	1.0	0.0
TOTAL	183.5	183.5	0.0
Avg. Daily Inmate Pop.	625	620	0

Agency Request/Governor's Recommendation

Change from 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$8,268,123, a reduction of \$3,000, or less than 1.0 percent, from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority 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 agency added 1.0 FTE which is not identified.

Salaries and Wages

- Request for salaries and wages total \$6,719,275 for 182.5 FTE positions
- Includes \$114,837 for overtime payments
- 5.1 percent shrinkage
- 1.0 other temporary FTE supervises inmate work crews on highways, for which Kansas Department of Transportation reimburses the agency for salary and wages

Governor Recommendation

The Governor concurs with the agency's request for FY 2001.

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendations

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Ellsworth Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Little

Analysis Pg. No. 813 Budget Page No. 163

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 8,268,123	\$ 8,268,123	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 8,268,123</u>	<u>\$ 8,268,123</u>	<u>\$ 0</u>
Capital Improvements	6,192,573	6,192,573	0
TOTAL	<u><u>\$ 14,460,696</u></u>	<u><u>\$ 14,460,696</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 8,222,752	\$ 8,222,752	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 8,222,752</u>	<u>\$ 8,222,752</u>	<u>\$ 0</u>
Capital Improvements	617,752	617,752	0
TOTAL	<u><u>\$ 8,840,504</u></u>	<u><u>\$ 8,840,504</u></u>	<u><u>\$ 0</u></u>
FTE Positions	182.5	182.5	0.0
Unclassified Temp. Positions	1.0	1.0	0.0
TOTAL	<u><u>183.5</u></u>	<u><u>183.5</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	625	620	0

Senate Subcommittee Recommendation

Concur.

House Committee Report

Agency: Ellsworth Correctional Facility **Bill No.** 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 813

Budget Page No. 163

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 10,596,537	\$ 9,429,053	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 10,596,537	\$ 9,429,053	\$ 0
Capital Improvements	135,142	0	0
TOTAL	\$ 10,731,679	\$ 9,429,053	\$ 0
State General Fund:			
State Operations	\$ 10,558,927	\$ 9,391,443	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 10,558,927	\$ 9,391,443	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 10,558,927	\$ 9,391,443	\$ 0
FTE Positions	237.0	223.0	0.0
Unclassified Temp. Positions	1.0	1.0	0.0
TOTAL	238.0	224.0	0.0
Avg. Daily Inmate Pop.	675	635	0

Agency Request/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$10,596,537 (\$10,558,927 SGF) an increase of \$2,328,414, or 28.2 percent over the estimated FY 2001 operating expenditure amount.

- Includes full funding of longevity (\$53,160) and a 5.1 shrinkage rate.
- Includes \$153,452 for overtime.
- Absent requested enhancements, the agency's request represents an increase of \$1,386,778, or 16.8 percent over the FY 2001 request.
- Includes at current services level funding and 52.5 FTE to staff the new 100 cell housing unit to be opened during FY 2002. Salaries and wages are calculated for 8 months of operations, while most of the budget request includes a full year of costs associated with additional staff and increased average daily inmate population

Governor Recommendation

The Governor recommends FY 2002 expenditures of \$9,429,053 (\$9,391,443 SGF), an increase of \$1,160,930 or 14.0 percent over the FY 2001 recommendation.

- \$7,748,121 for salaries and wages, including the Governor's pay plan
- \$908,526 for contractual services
- \$672,406 for commodities
- \$100,000 for capital outlay
- Includes reductions related to the new housing unit
 - Requested salaries and wages for the new unit are reduced from 16 to 10 weeks
 - The new FTE request is reduced from 52.5 to 40.5 FTE

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Ellsworth Correctional Facility

Bill No.348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 813 Budget Page No. 163

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 10,596,537	\$ 9,429,053	\$ (202,985)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 10,596,537</u>	<u>\$ 9,429,053</u>	<u>\$ (202,985)</u>
Capital Improvements	135,142	0	0
TOTAL	<u><u>\$ 10,731,679</u></u>	<u><u>\$ 9,429,053</u></u>	<u><u>\$ (202,985)</u></u>
State General Fund:			
State Operations	\$ 10,558,927	\$ 9,391,443	\$ (202,985)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 10,558,927</u>	<u>\$ 9,391,443</u>	<u>\$ (202,985)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 10,558,927</u></u>	<u><u>\$ 9,391,443</u></u>	<u><u>\$ (202,985)</u></u>
FTE Positions	237.0	223.0	0.0
Unclassified Temp. Positions	1.0	1.0	0.0
TOTAL	<u><u>238.0</u></u>	<u><u>224.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	675	635	0

* Includes deletion of \$202,985 to remove the Governor's pay plan.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$202,985 (\$202,065 SGF) to remove the Governor's pay plan, including \$57,577 for longevity bonuses, \$1,904 for unclassified merit, and \$143,504 for a classified base salary increase.

2. The Subcommittee commends the correctional facility for the contributions of inmates to communities in Kansas. The work of inmate work crews provide significant savings to communities and agencies and their value is often only noted when their labor is lost. The subcommittee notes that at the Governor's recommendation inmate work crews were reduced in FY 2001 but the 2002 budget continues their funding. At Ellsworth in FY 2000, the last full year, the inmates contribute 27,225 hours of work valued at \$140,209.
3. The Subcommittee commends the correctional facility for continuing to maintain American Correctional Association accreditation. Accreditation remains a valuable measure of the high standards and safe operation of the correctional facilities.
4. The Subcommittee recommends the agency's future reports to the Subcommittees share a common date of inmate population compilation so each correctional facility reflects the total inmate population from a date certain.
5. The Subcommittee notes that turnover, particularly for uniformed staff, remains a problem at some of the correctional facilities. Each correctional facility reported on their turnover rates, and Ellsworth reported a turnover rate in FY 2000, the last full year, of 17.6 percent. The systemwide average was 21.4 percent. The Subcommittee hopes enhanced pay in the Governor's budget will help recruit new and retain qualified staff.

House Committee Report

Agency: Hutchinson Correctional Facility **Bill No.** 2545

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 831

Budget Page No. 253

Expenditure	Agency Est. FY 01	Gov. Rec. FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 23,383,147	\$ 23,393,674	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 23,383,147	\$ 23,393,674	\$ 0
Capital Improvements	232,089	213,591	0
TOTAL	\$ 23,615,236	\$ 23,607,265	\$ 0
State General Fund:			
State Operations	\$ 22,625,068	\$ 22,759,079	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 22,625,068	\$ 22,759,079	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 22,625,068	\$ 22,759,079	\$ 0
Other Funds:			
State Operations	\$ 758,079	\$ 634,595	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 758,079	\$ 634,595	\$ 0
Capital Improvements	232,089	213,591	0
TOTAL	\$ 990,168	\$ 848,186	\$ 0
Percentage Change:			
Operating Expenditures:			
All Funds	2.9%	3.0%	0.0%
State General Fund	1.3	1.9	0.0
FTE Positions			
All Funds	511.0	512.0	0.0
Other Unclass. Positions	3.0	3.0	0.0
TOTAL	514.0	515.0	0.0
Avg. Daily Inmate Population	1,855	1,760	0

*Senate Ways and Means
3-16-01
Attachment 7*

Agency Est./Governor's Recommendation

Changes from 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$23,383,147, an increase of \$44,047 or less than 1.0 percent from the amount approved by the 2000 Legislature of \$23,339,100.

- The Secretary of Corrections has the authority to transfer, with the approval of the Governor, State General Fund moneys and FTE from the Department of Corrections or any facility to the DOC or any other facility

Salaries and Wages

- Request for salaries and wages total \$19,575,577 for 511.0 FTE positions or 83.7 percent of the operating budget
- Includes \$861,528 for overtime payments
- 4.5 percent shrinkage
- 2.0 FTE were shifted from another facility during the current year

Governor Recommendation

The Governor recommends FY 2001 expenditures of \$23,393,674 (\$22,759,079 SGF) an increase of \$54,574 or 1.0 percent from the approved amount

- Concur with the agency request, but adds 1.0 FTE and funding for the inmate transportation program.
- Includes \$123,484 SGF shift to replace federal funds.

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Hutchinson Correctional Facility

Bill No. 342

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 831

Budget Page No. 253

Expenditure	Agency Est. FY 01	Gov. Rec. FY 01	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 23,383,147	\$ 23,393,674	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 23,383,147</u>	<u>\$ 23,393,674</u>	<u>\$ 0</u>
Capital Improvements	232,089	213,591	0
TOTAL	<u><u>\$ 23,615,236</u></u>	<u><u>\$ 23,607,265</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 22,625,068	\$ 22,759,079	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 22,625,068</u>	<u>\$ 22,759,079</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 22,625,068</u></u>	<u><u>\$ 22,759,079</u></u>	<u><u>\$ 0</u></u>
Other Funds:			
State Operations	\$ 758,079	\$ 634,595	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 758,079</u>	<u>\$ 634,595</u>	<u>\$ 0</u>
Capital Improvements	232,089	213,591	0
TOTAL	<u><u>\$ 990,168</u></u>	<u><u>\$ 848,186</u></u>	<u><u>\$ 0</u></u>
Percentage Change:			
Operating Expenditures:			
All Funds	2.9%	3.0%	0.0%
State General Fund	1.3	1.9	0.0
FTE Positions			
FTE Positions	511.0	512.0	0.0
Other Unclass. Positions	3.0	3.0	0.0
TOTAL	<u>514.0</u>	<u>515.0</u>	<u>0.0</u>
Avg. Daily Inmate Population			
Avg. Daily Inmate Population	1,855	1,760	0

Senate Subcommittee Recommendation

Concur.

House Committee Report

Agency: Hutchinson Correctional Facility **Bill No.** 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 831

Budget Page No. 253

Expenditure	Agency Req. FY 02	Gov. Rec. FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 25,980,308	\$ 24,275,873	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 25,980,308</u>	<u>\$ 24,275,873</u>	<u>\$ 0</u>
Capital Improvements	715,952	0	0
TOTAL	<u><u>\$ 26,696,260</u></u>	<u><u>\$ 24,275,873</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 25,649,166	\$ 23,944,731	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 25,649,166</u>	<u>\$ 23,944,731</u>	<u>\$ 0</u>
Capital Improvements	715,952	0	0
TOTAL	<u><u>\$ 26,365,118</u></u>	<u><u>\$ 23,944,731</u></u>	<u><u>\$ 0</u></u>
Other Funds:			
State Operations	\$ 331,142	\$ 331,142	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 331,142</u>	<u>\$ 331,142</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 331,142</u></u>	<u><u>\$ 331,142</u></u>	<u><u>\$ 0</u></u>
Percentage Change:			
Operating Expenditures:			
All Funds	11.1%	3.8%	0.0%
State General Fund	13.4	5.2	0.0
FTE Positions			
All Funds	516.0	512.0	0.0
Other Unclass. Positions	3.0	3.0	0.0
TOTAL	<u><u>519.0</u></u>	<u><u>515.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Population	1,855	1,510	0

Agency Request/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$25,980,308 (\$25,649,166 SGF), an increase of \$2,597,161, or 11.1 percent over the estimated FY 2001 operating expenditure amount.

- Includes full funding of longevity (\$167,480), merit increases, and a 4.5 percent shrinkage rate
- Includes \$861,528 for overtime
- Absent requested enhancements, the agency's request represents an increase of \$489,798 or 2.1 percent over the FY 2001 request
- Operating Expenditures do not include an SGF request of \$715,952 for capital improvement projects described at the end of this analysis

Governor Recommendation

The Governor recommends FY 2002 expenditures totaling \$24,275,873 and \$23,944,731 SGF, an increase of \$882,199 or 3.8 percent over the FY 2001 recommendation.

- \$20,527,781 for salaries and wages, including increase in shrinkage rates
- \$1,902,332 for contractual services
- \$1,709,760 for commodities
- \$136,000 for capital outlay
- Includes \$192,000 SGF reduction in overtime, \$95,000 reductions due to Sub. for SB 323
- Adds \$42,833 and 1.0 FTE shifted from Topeka for the inmate transportation unit
- Includes \$266,715 SGF for a 2.5 percent bonus for all uniformed correctional officers, in addition to the 2.25 percent classified base salary increase (3.0 percent annualized).
 - No other enhancements are recommended.

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Hutchinson Correctional Facility

Bill No. 348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 831 **Budget Page No.** 253

Expenditure	Agency Req. FY 02	Gov. Rec. FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 25,980,308	\$ 24,275,873	\$ (555,409)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 25,980,308</u>	<u>\$ 24,275,873</u>	<u>\$ (555,409)</u>
Capital Improvements	715,952	0	0
TOTAL	<u><u>\$ 26,696,260</u></u>	<u><u>\$ 24,275,873</u></u>	<u><u>\$ (555,409)</u></u>
State General Fund:			
State Operations	\$ 25,649,166	\$ 23,944,731	\$ (549,499)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 25,649,166</u>	<u>\$ 23,944,731</u>	<u>\$ (549,499)</u>
Capital Improvements	715,952	0	0
TOTAL	<u><u>\$ 26,365,118</u></u>	<u><u>\$ 23,944,731</u></u>	<u><u>\$ (549,499)</u></u>
Other Funds:			
State Operations	\$ 331,142	\$ 331,142	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 331,142</u>	<u>\$ 331,142</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 331,142</u></u>	<u><u>\$ 331,142</u></u>	<u><u>\$ 0</u></u>
Percentage Change:			
Operating Expenditures:			
All Funds	11.1%	3.8%	0.0%
State General Fund	13.4	5.2	0.0
FTE Positions			
All Funds	516.0	512.0	0.0
Other Unclass. Positions	3.0	3.0	0.0
TOTAL	<u><u>519.0</u></u>	<u><u>515.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Population	1,855	1,510	0

* Includes deletion of \$555,409 to remove the Governor's pay plan.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$555,409 (\$549,499 SGF) to remove the Governor's pay plan, including \$182,490 for longevity bonuses, \$2,557 for unclassified merit, and \$370,361 for a classified base salary increase.
2. The Subcommittee commends the correctional facility for the contributions of inmates to communities in Kansas. The work of inmate work crews provide significant savings to communities and agencies and their value is often only noted when their labor is lost. The subcommittee notes that at the Governor's recommendation inmate work crews were reduced in FY 2001 but the 2002 budget continues their funding. At Hutchinson in FY 2000, the last full year, the inmates contribute 115,304 hours of work valued at \$593,816.
3. The Subcommittee commends the correctional facility for continuing to maintain American Correctional Association accreditation. Accreditation remains a valuable measure of the high standards and safe operation of the correctional facilities.
4. The Subcommittee recommends the agency's future reports to the Subcommittees share a common date of inmate population compilation so each correctional facility reflects the total inmate population from a date certain.
5. The Subcommittee notes that turnover, particularly for uniformed staff, remains a problem at some of the correctional facilities. Each correctional facility reported on their turnover rates, and Hutchinson reported a turnover rate in FY 2000, the last full year, of 20.0 percent. The systemwide average was 21.4 percent. The Subcommittee hopes enhanced pay in the Governor's budget will help recruit new and retain qualified staff.

House Committee Report

Agency: Lansing Correctional Facility

Bill No. 2545

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 850

Budget Page No. 325

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 31,146,961	\$ 31,247,786	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 31,146,961</u>	<u>\$ 31,247,786</u>	<u>\$ 0</u>
Capital Improvements	502,500	502,500	0
TOTAL	<u><u>\$ 31,649,461</u></u>	<u><u>\$ 31,750,286</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 30,533,728	\$ 30,758,036	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 30,533,728</u>	<u>\$ 30,758,036</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 30,533,728</u></u>	<u><u>\$ 30,758,036</u></u>	<u><u>\$ 0</u></u>
FTE Positions	705.0	710.0	0.0
Other Unclass. Positions	0.0	0.0	0.0
TOTAL	<u><u>705.0</u></u>	<u><u>710.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	2,450	2,420	0

Agency Request/Governor's Recommendation

Change from 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$31,146,961, an increase of \$67,417 SGF, or less than 1.0 percent, from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority to transfer, with the approval of the Governor, State General Fund moneys and FTE from the Department of Corrections or any facility to the DOC or any other facility.
 - The agency reported salary savings and increased all other funds--mainly general fees funds

*Senate Ways and Means
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Attachment 8*

Salaries and Wages

- Request for salaries and wages total \$26,121,623 for 705.0 FTE positions.
- Includes \$758,365 for overtime payments
- 4.5 percent shrinkage

Governor's Recommendation

The Governor recommends FY 2001 expenditures of \$31,247,786, an increase of \$168,242 from the approved budget.

- Includes \$100,825 SGF to relocate the transportation hub from Topeka.
- Add \$123,483 SGF to replace federal funds.

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Lansing Correctional Facility

Bill No.342

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 850 **Budget Page No.** 325

Expenditure Summary	Agency Request FY 01	Governor's Recommendation FY 01	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 31,146,961	\$ 31,247,786	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 31,146,961</u>	<u>\$ 31,247,786</u>	<u>\$ 0</u>
Capital Improvements	502,500	502,500	0
TOTAL	<u><u>\$ 31,649,461</u></u>	<u><u>\$ 31,750,286</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 30,533,728	\$ 30,758,036	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 30,533,728</u>	<u>\$ 30,758,036</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 30,533,728</u></u>	<u><u>\$ 30,758,036</u></u>	<u><u>\$ 0</u></u>
FTE Positions	705.0	710.0	0.0
Other Unclass. Positions	0.0	0.0	0.0
TOTAL	<u><u>705.0</u></u>	<u><u>710.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	2,450	2,420	0

Senate Subcommittee Recommendation

Concur.

House Committee Report

Agency: Lansing Correctional Facility

Bill No. 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 850

Budget Page No. 325

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 31,146,961	\$ 31,247,786	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 31,146,961</u>	<u>\$ 31,247,786</u>	<u>\$ 0</u>
Capital Improvements	502,500	502,500	0
TOTAL	<u><u>\$ 31,649,461</u></u>	<u><u>\$ 31,750,286</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 30,533,728	\$ 30,758,036	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 30,533,728</u>	<u>\$ 30,758,036</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 30,533,728</u></u>	<u><u>\$ 30,758,036</u></u>	<u><u>\$ 0</u></u>
FTE Positions	705.0	710.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>705.0</u></u>	<u><u>710.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	2,450	2,420	0

Agency Estimate/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$34,718,281 an increase of \$3,571,320, or 11.5 percent over the estimated FY 2001 operating expenditure amount.

- Includes full funding of longevity (\$235,400), merit increases, and a 4.5 shrinkage rate
- Includes \$777,325 for overtime
- Absent requested enhancements, the agency's request represents an increase of \$435,774, or 1.4 percent over the FY 2001 request

Governor's Recommendation

The Governor recommends FY 2002 expenditures of \$32,592,074 (\$32,311,074 SGF), an increase of \$1,344,288 or 4.3 percent over the FY 2001 recommendation.

- \$27,718,452 for salaries and wages, including shrinkage rates
- \$2,317,564 for contractual services
- \$2,487,558 for commodities
- \$68,500 for capital outlay
- \$303,000 SGF reduction in overtime, capital outlay, and items related to ADP due to Sub. for SB 323.
- \$357,684 SGF and 5.0 FTE transfer from Topeka.
- \$435,322 SGF for a 2.5 percent bonus for all uniformed correctional officers, in addition to the 2.25 percent classified base salary increase.

Staff Note: The agency moved the inmate transportation hub from Lansing to Topeka in July 1997.

Budget Committee Recommendation

1. The Budget Committee notes that turnover, particularly for uniformed staff, remains a problem at some of the correctional facilities. Each correctional facility reported on their turnover rates, and Lansing, with the largest uniformed work force, reported the highest number of vacant positions, 39.0. The Committee hopes enhanced pay in the Governor's budget will help, but Lansing appears to face more challenges than other facilities in retaining staffing given the proximity to other prison employers in the area and the Kansas City area job market.

House Committee Recommendation

The House Committee concurs with the Budget Committee with the following comments.

1. The Committee requests the Department of Corrections report to the Committee before Omnibus on the pilot project at Lansing reducing the age eligibility for hiring from 21 to 19. The Committee wants an evaluation of the program and the Department's assessment of its viability.
2. The Committee requests a 100 hour Legislative Post Audit of overtime expenditures at Lansing for correctional officers. The Committee noted high overtime expenditures and the audit will analyze the potential benefits of continued overtime expenditures versus increased salaries to retain a higher number of employees. The Committee wants to know if expenditures for overtime might be better spent on enhanced pay, thus reducing the need for overtime. The Committee anticipates a response by the end of March.
3. The Committee requests a report from the Department of Corrections before Omnibus analyzing the comparative salaries and benefits of Lansing's public

safety employee competitors, including local units of government, federal prisons, and private prisons. As well, the agency should address whether they are prepared to hire employees above the entry level grid on the Kansas Civil Service pay scale.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Lansing Correctional Facility

Bill No. 348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 850 **Budget Page No.** 325

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 31,146,961	\$ 31,247,786	\$ (764,426)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 31,146,961</u>	<u>\$ 31,247,786</u>	<u>\$ (764,426)</u>
Capital Improvements	502,500	502,500	0
TOTAL	<u><u>\$ 31,649,461</u></u>	<u><u>\$ 31,750,286</u></u>	<u><u>\$ (764,426)</u></u>
State General Fund:			
State Operations	\$ 30,533,728	\$ 30,758,036	\$ (764,426)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 30,533,728</u>	<u>\$ 30,758,036</u>	<u>\$ (764,426)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 30,533,728</u></u>	<u><u>\$ 30,758,036</u></u>	<u><u>\$ (764,426)</u></u>
FTE Positions	705.0	710.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>705.0</u></u>	<u><u>710.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	2,450	2,420	0

* Includes deletion of \$764,426 to remove the Governor's pay plan.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$764,426 SGF to remove the Governor's pay plan, including \$256,572 for longevity bonuses and \$507,854 for a classified base salary increase.
2. The Subcommittee commends the correctional facility for the contributions of inmates to communities in Kansas. The work of inmate work crews provide significant savings to communities and agencies and their value is often only noted when their labor is lost. The subcommittee notes that at the Governor's recommendation inmate work crews were reduced in FY 2001 but the 2002 budget continues their funding. At Lansing in FY 2000, the last full year, the inmates contribute 213,310 hours of work valued at \$1,089,547.
3. The Subcommittee notes that turnover, particularly for uniformed staff, remains a problem at some of the correctional facilities. Each correctional facility reported on their turnover rates, and Lansing, with the largest uniformed work force, reported the highest number of vacant positions, 39.0 FTE. The facility has a 22.6 percent turnover rate, while the facility-wide average is 21.4 percent. The Subcommittee hopes enhanced pay in the Governor's budget will help, but Lansing appears to face more challenges than other facilities in retaining staffing given the proximity to other prison employers in the area and the Kansas City area job market.
4. The Subcommittee commends the correctional facility for continuing to maintain American Correctional Association accreditation. Accreditation remains a valuable measure of the high standards and safe operation of the correctional facilities.
5. The Subcommittee recommends the agency's future reports to the Subcommittees share a common date of inmate population compilation so each correctional facility reflects the total inmate population from a date certain.

House Committee Report

Agency: Larned Correctional Mental Health Facility

Bill No. 2545

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 868

Budget Page No. 327

Expenditure Summary	Agency Est. FY 01	Governor's Recommendation FY 01	House Committee Adjustments
All Funds:			
State Operations	\$ 7,417,068	\$ 7,409,159	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 7,417,068</u>	<u>\$ 7,409,159</u>	<u>\$ 0</u>
Capital Improvements	315,711	315,711	0
TOTAL	<u><u>\$ 7,732,779</u></u>	<u><u>\$ 7,724,870</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 7,412,809	\$ 7,404,900	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 7,412,809</u>	<u>\$ 7,404,900</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 7,412,809</u></u>	<u><u>\$ 7,404,900</u></u>	<u><u>\$ 0</u></u>
FTE Positions	186.0	186.0	0.0
Other Unclassified Positions	0.0	0.0	0.0
TOTAL	<u><u>186.0</u></u>	<u><u>186.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Population	350	310	0

Agency Estimate/Governor's Recommendation

Change from 2000 Session Approved Budget. The revised FY 2001 estimate of operating expenditures totals \$7,417,068, an increase of 1.7 percent from the amount approved by the 2000 Legislature.

- The Secretary of Corrections has the authority 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
- Includes 11.0 FTE and funding of \$331,596 to shift operation of the Chemical Dependency Recovery Program to the facility from Larned State Hospital. The program has been operating on rented space off site while the new program space is being renovated with the \$300,000 CIBF appropriated during the 2000 Session

*Senate Ways and Means
3-16-01
Attachment 9*

- Increased SGF funding transferred from the Department of Corrections to cover additional salary and wage needs.

Salaries and Wages

- Request for salaries and wages total \$6,457,769 for 186.0 FTE.
- Includes \$123,854 for overtime payments
- 5.8 percent shrinkage

Governor Recommendations

The Governor recommends FY 2001 expenditures of \$7,409,159, a reduction of \$7,909 from the agency request, but \$119,275 above the approved amount.

- The Governor concurs with the agency's revised budget, with only additional salary and wage recalculations.

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Larned Correctional Mental Health Facility

Bill No. 348

Bill Sec. 30

Analyst: Little

Analysis Pg. No. 868

Budget Page No. 327

Expenditure Summary	Agency Est. FY 01	Governor's Recommendation FY 01	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 7,417,068	\$ 7,409,159	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 7,417,068</u>	<u>\$ 7,409,159</u>	<u>\$ 0</u>
Capital Improvements	315,711	315,711	0
TOTAL	<u><u>\$ 7,732,779</u></u>	<u><u>\$ 7,724,870</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 7,412,809	\$ 7,404,900	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 7,412,809</u>	<u>\$ 7,404,900</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 7,412,809</u></u>	<u><u>\$ 7,404,900</u></u>	<u><u>\$ 0</u></u>
FTE Positions	186.0	186.0	0.0
Other Unclassified Positions	0.0	0.0	0.0
TOTAL	<u><u>186.0</u></u>	<u><u>186.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Population	350	310	0

Senate Subcommittee Recommendation

Concur.

House Committee Report

Agency: Larned Correctional Mental Health Facility

Bill No. 2557

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 868

Budget Page No. 327

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	House Committee Adjustments
All Funds:			
State Operations	\$ 8,205,817	\$ 7,643,126	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 8,205,817</u>	<u>\$ 7,643,126</u>	<u>0</u>
Capital Improvements	236,984	0	0
TOTAL	<u><u>\$ 8,442,801</u></u>	<u><u>\$ 7,643,126</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 8,205,817	\$ 7,643,126	\$ 0
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 8,205,817</u>	<u>\$ 7,643,126</u>	<u>\$ 0</u>
Capital Improvements	236,984	0	0
TOTAL	<u><u>\$ 8,442,801</u></u>	<u><u>\$ 7,643,126</u></u>	<u><u>\$ 0</u></u>
FTE Positions	187.0	186.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>187.0</u></u>	<u><u>186.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	360	230	0

Agency Request/Governor's Recommendation

Agency FY 2002 operating expenditures request totals \$8,205,817 (all SGF) an increase of \$788,749 or 10.6 percent over the estimated FY 2001 operating expenditure amount.

- Includes full funding of longevity (\$41,440) and a 5.8 shrinkage rate
- Includes \$125,402 for overtime
- Absent requested enhancements, the agency's request represents an increase of \$101,080, or 1.4 percent over the FY 2001 request

Governor's Recommendation

The Governor recommends FY 2002 expenditures of \$7,643,126 (all SGF), an increase of \$233,967, or 3.2 percent from the FY 2001 recommendation.

- \$6,800,269 for salaries and wages, including increase in shrinkage rates, and base salary adjustment
- \$464,800 for contractual services
- \$353,248 for commodities
- \$24,809 for capital outlay
- Includes \$107,000 in reductions due to lower average daily population
- \$96,602 SGF for a 2.5 percent bonus for all uniformed correctional officers, in addition to the 2.25 percent (3.0 percent annualized) classified base salary increase
- No other enhancements are recommended

Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs.

House Committee of the Whole Recommendation

The House Committee of the Whole has not considered this budget.

Senate Subcommittee Report

Agency: Larned Correctional Mental Health Facility

Bill No. 348

Bill Sec. 71

Analyst: Little

Analysis Pg. No. 868 **Budget Page No.** 327

Expenditure Summary	Agency Request FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 8,205,817	\$ 7,643,126	\$ (165,480)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 8,205,817</u>	<u>\$ 7,643,126</u>	<u>\$ (165,480)</u>
Capital Improvements	236,984	0	0
TOTAL	<u><u>\$ 8,442,801</u></u>	<u><u>\$ 7,643,126</u></u>	<u><u>\$ (165,480)</u></u>
State General Fund:			
State Operations	\$ 8,205,817	\$ 7,643,126	\$ (165,480)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - State Oper.	<u>\$ 8,205,817</u>	<u>\$ 7,643,126</u>	<u>\$ (165,480)</u>
Capital Improvements	236,984	0	0
TOTAL	<u><u>\$ 8,442,801</u></u>	<u><u>\$ 7,643,126</u></u>	<u><u>\$ (165,480)</u></u>
FTE Positions	187.0	186.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>187.0</u></u>	<u><u>186.0</u></u>	<u><u>0.0</u></u>
Avg. Daily Inmate Pop.	360	230	0

* Includes deletion of \$165,480 to remove the Governor's pay plan.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$165,480 SGF to remove the Governor's pay plan, including \$39,262 for longevity bonuses and \$126,218 for a classified base salary increase.

9-6
9-7

2. The Subcommittee commends the correctional facility for the contributions of inmates to communities in Kansas. The work of inmate work crews provide significant savings to communities and agencies and their value is often only noted when their labor is lost. The subcommittee notes that at the Governor's recommendation inmate work crews were reduced in FY 2001 but the 2002 budget continues their funding. At Larned in FY 2000, the last full year, the inmates contribute 176,286 hours of work valued at \$918,941.
3. The Subcommittee notes with satisfaction the transfer of the sexual predator unit for patients in the Social and Rehabilitation Services treatment program who were moved out of the correctional facility in October 2000. The prison has reoccupied the 30-bed wing with inmates who have serious mental illness. Additionally, the Chemical Dependency Recovery Program has been transferred from the State Hospital as directed by the 2000 Legislature and now provides substance abuse treatment services to offenders at the correctional facility.
4. The Subcommittee commends the correctional facility for continuing to maintain American Correctional Association accreditation. Accreditation remains a valuable measure of the high standards and safe operation of the correctional facilities. The committee singles out Larned for their most recent audit. The agency report noted the 100 percent mandatory standards and 99.8 percent non-mandatory standards and the facility "received an 'Outstanding' Quality of Life rating during the May 1999 audit. This quality of life rating is very rarely given by ACA auditors throughout the United States and is the highest rating possible. The auditors were very impressed with the mental health program and the positive, humane staff treatment of and interactions with the mentally ill inmates."
5. The Subcommittee recommends the agency's future reports to the Subcommittees share a common date of inmate population compilation so each correctional facility reflects the total inmate population from a date certain.
6. The Subcommittee notes that turnover, particularly for uniformed staff, remains a problem at some of the correctional facilities. Each correctional facility reported on their turnover rates, and Larned reported a turnover rate in FY 2000, the last full year, of 27.0 percent. The systemwide average was 21.4 percent. The Subcommittee hopes enhanced pay in the Governor's budget will help recruit new and retain qualified staff.

Attachment A

Kansas Department of Corrections Offender Programs Evaluation – Volume IV Recapitulation: Summary of Outcomes

Program Experience and Recidivism Outcome FY 1992 – FY 2000 ^(2,3)				
	% Returned to KDOC ^{1/}		Percentage Point Difference	% Rate of Change in KDOC Returns: "Need but no Program Received" versus "Completed Program"
	Need-but no program Received	Completed Program		
Sex Offender Tx	42.3%	32.3%	-10.0%	-24%
Substance Abuse Tx Programs	42.3%	42.8%	+ 0.5%	+ 1%
Academ.Ed: Basic Skills	44.3%	46.5%	+ 2.2%	+ 5%
Academ.Ed: GED	47.7%	42.4%	- 5.3%	-11%
Vocational Ed	44.8%	35.6%	- 9.2%	-21%
Pre-release ^{2/}	46.9%	34.5%	-12.4%	-26%
Work Release ^{3/}	49.2%	32.4%	-16.8%	-34%

1/ % Returned to KDOC includes returns during post-incarceration supervision (condition violators and returns with new sentences) as well as returns as new commitments after sentence discharge

2/ Pre-release data has been maintained in an automated form since FY 1995. Data reported here is FY 1995-FY 2000.

3/ Work Release data has been maintained in an automated form since FY 1996. Data reported here is FY 1996-FY 2000.

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Statement to the Senate Committee on Ways & Means

HB 2189

Dick Carter, Jr.
Director for External Relations
Kansas Board of Regents

March 16, 2001

Chairman Morris and members of the Committee, my name is Dick Carter and I am the Director for External Relations for the Kansas Board of Regents. I appear before you today in support of HB 2189.

As a result of the Kansas Higher Education Coordination Act (SB 345) there were a number of statutory clean-up measures necessary to maintain compliance with the law – this is one of those changes.

In 1996, the Legislature passed a law that provides that Kansas public postsecondary institutions shall waive tuition and fees for the dependents of Kansas public safety officers who died as a result of injury sustained in the line of duty. The institution may file a claim with the applicable state board (now the Kansas Board of Regents) for reimbursement of the tuition and fees waived. The current statute divides responsibility for administration of this statute between the Board of Regents and the State Board of Education, depending on the type of institution. Since all of higher education now comes under the Kansas Board of Regents, all responsibility should be shifted to the Board of Regents. HB 2189, in its original form, does just that in regard to public safety officers.

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It is important to note that the bill was amended in the House to include “emergency medical services attendants,” commonly referred to as first responders, EMT’s and so on. The bill was further amended to allow for benefits to be distributed to those who were permanently, totally disabled.

With respect to the first amendment, the Kansas Board of Regents appreciates the intent of the House Committee and does not disagree that emergency medical services attendants fall under the parameter of those employees engaged in a public service that potentially puts them at personal risk. It does raise the question, however, as to “what other group may claim that they were missed?” Regarding the amendment allowing for education benefits for those who are permanently, totally disabled, we would suggest that benefits under workers compensation law exist and that this amendment goes beyond the intent of the tuition and fee waiver program as it was formulated in 1996.

Finally, I have compiled some figures of the current fiscal impact to the Kansas Board of Regents. Currently, there are four persons receiving benefit from this tuition and fee waiver program for a total of \$7,049.31. This amount has been absorbed by the system-wide budget in the past and does not present a monumental problem. While, we do not anticipate a deluge of participants in the program, should the bill be passed in its amended form; we would request that the committee consider the potential budget implications that these changes could have and would request appropriate additional revenue to support the program.

KANSAS BOARD OF REGENTS
 TUITION AND FEE WAIVER
 DEPENDENTS OF SLAIN PUBLIC SAFETY OFFICERS
 FY 2001

March 14, 2001

<u>Institution</u>	<u># of Students</u>	<u>Fall Waiver</u>	<u>Spring Waiver</u>	<u>Total</u>
University of Kansas	1	\$1,248.93	\$1,248.93	\$2,497.86
Kansas State University	1	1,314.70	1,390.25	2,704.95
Butler County Community College	1		697.50	697.50
Seward County Comm College	1	599.00	550.00	1,149.00
Grand Total	4	\$3,162.63	\$3,886.68	\$7,049.31

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 Attachment 12*

**Testimony to the
Senate Ways and Means Committee
HB 2189
Presented by Patrick T. Lehman
for the Kansas Fire Service Alliance**

Thank you Mr. Chairman and members of the committee. I am Pat Lehman and I represent the Kansas Fire Service Alliance. I am speaking on behalf of the Alliance in support of HB 2189.

The House amended the bill to include emergency medical services attendants in the definition of public safety officers. It also amended the bill to include dependents of public safety officers who are permanently and totally disabled to be provided enrollment without charge of tuition or fees to a Kansas educational institution. The Kansas Fire Service supports these amendments.

Because it is becoming more and more difficult to attract volunteer firefighters, we believe that including the word "volunteer" as part of the definition of firefighter in this bill could serve as a small incentive. For that reason, we request that the committee amend the bill to include dependents of volunteer firefighters in the eligibility specified by this legislation.

The Kansas Fire Service Alliance urges you to pass the amended bill out favorably. Thank you and I would be glad to stand for any questions.

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Attachment 13*



Box 441
Clay Center, Kansas 67432

(785) 632-2166 • FAX (785) 632-6050
[HTTP://WWW.KEMSA.ORG](http://www.kemsa.org)

To: Kansas Senate Committee
From: Jason White, Kansas Emergency Medical Services Association
RE: Testimony concerning HB 2189
Date: March 16, 2001

The Kansas Emergency Medical Services Association supports the passage of HB 2189.

EMS organizations around Kansas are attempting to deal with a growing Recruitment and Retention problem for staff. The problem is especially acute with the volunteer and smaller services in Kansas.

These types of programs provide assurance to EMS personnel that their community service will provide important benefits to their families if tragedy occurs.

We do not believe that the cost of this program is significant as we can identify only 3 deaths over the last 15 years that could possibly fall under these provisions.

Jason White, KEMSA Board
Employed by MAST, Kansas City

"UNITY IS STRENGTH"

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KANSAS BOARD OF EMERGENCY MEDICAL SERVICES

109 S.W. 6th AVENUE
TOPEKA, KS 66603-3826

OFFICE (785) 296-7296
FAX (785) 296-6212

TDD (785) 296-6237
www.ksbems.org

David Lake
Administrator

Dennis Allin, M.D.
Chair

Bill Graves
Governor



Date: March 16, 2001

To: Senator Steve Morris
Senate Ways and Means
Committee

From: David Lake, Administrator
Kansas Board of Emergency Medical Services

Re: Support Testimony for HB2189

My testimony this morning is offered in support of HB 2189 as amended by House Committee to include Emergency Medical Service Attendants. Of the 183 licensed ambulance services in Kansas, 140 are identified as part-time/volunteer services. Of the 9,395 certified attendants, approximately 55% report they are actually providing patient care and 66% of those are volunteers.

The Board of EMS has identified as a major concern the recruitment and retention of attendants, especially in the rural setting which is mostly volunteer. To become an EMT requires an average of 185 clock hours of school, passing a National Certification Exam, and gaining mandatory continuing education hours on a yearly basis. Once you become an EMT, your work is done in an environment of high-risk for injury and exposure to serious illness. When recruiting personnel to serve your community what can you offer as incentive?

HB2189 does offer some incentive. If an attendant dies or becomes permanently disabled in the performance of his job as an EMS attendant, this bill allows for the dependents to receive tuition to the state-supported Colleges and Universities. Fortunately, this is a very infrequent occurrence. A fundamental segment of the training program is stressing the importance of assuring a scene is safe, to reduce the risk of injury, and the use of personal protective equipment to prevent accidental exposure to bloodborne pathogens and other medical conditions.

Please consider favorably the passage of HB2189. Thank You for the opportunity to provide this testimony.

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ROBERT E. DUNCAN, II
Attorney at Law

To: Senate Committee on Ways and Means

From: R.E. "Tuck" Duncan
American Medical Response

RE: HB2189

I have been asked on behalf of the Kansas Emergency Medical Services Association, the Emergency Medical Technicians Association and American Medical Response which provides ambulance services in Shawnee, Osage and Johnson counties Kansas to express their support of HB2189. We ask that you act favorably on the bill.

HB 2189 concerns post secondary education tuition and fees waivers for dependents of public safety officers who die in the line of duty. The bill would expand the program to include emergency medical services attendants, in addition to law enforcement officers and firefighters, and would expand eligibility to include dependents of law enforcement officers, firefighters, and emergency medical services attendants who suffer a fatal injury or a permanent, total disability in the line of duty, in addition to persons who are killed.

The House Higher Education Committee amended the bill at the request of the Kansas Emergency Medical Services Association to extend the benefits of the program to dependents of emergency medical service workers who are killed in the line of duty. Emergency medical services attendant is defined to include first responders, emergency medical technicians, emergency medical technician-intermediates, emergency medical technician-defibrillators, or mobile intensive care technicians who are certified by the Emergency Medical Services Board.

Thank you for your support.



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Attachment 16

Docket Fee Increases Contained in Sub. for SB 85

	<u>FY 2002</u>	<u>FY 2003</u>
Original Proposal	\$ 2,475,796	\$ 3,451,921
Subcommittee Proposal (Sub. SB 85)	<u>1,485,630</u>	<u>2,461,755</u>
Difference	<u>\$ 990,166</u>	<u>\$ 990,166</u>

Note: Anticipated revenues are lower in FY 2002 because there is a lag time before increased revenues are generated.

PROPOSED DOCKET FEE INCREASES

Listed below are the docket fees that would be changed by proposed Substitute for SB 85. The fees are listed in the order in which they appear in the bill.

Type of Fee	Current Fee	Proposed
Fee assessed person placed on probation Felony Misdemeanor	One-time \$50 fee One-time \$25 fee	Monthly \$20 fee* Monthly \$10 fee*
Fee assessed petition for expungement	\$0	\$150
Filing, entering, and releasing a bond, mechanic's lien, notice of intent to perform, or judgment on which execution process cannot be issued	\$5	\$20*
Filing, entering, and releasing a judgment of a court on which execution or other process can be issued	\$15	\$20*
Probate—Treatment of mentally ill	\$24.50	\$30*
Probate—Treatment of alcoholism or drug abuse	\$24.50	\$30*
Probate—Determination of descent of property	\$39.50	\$150*
Probate—Termination of life estate	\$39.50	\$50*
Probate—Termination of joint tenancy	\$39.50	\$50*
Probate—Refusal to grant letters of administration	\$39.50	\$50*
Step parent adoption	\$39.50	\$50*
Adult adoption	\$39.50	\$50*
SRS Adoption	\$39.50	\$10
Agency adoption	\$39.50	\$100*
Independent adoption	\$39.50	\$100*
International adoption	\$39.50	\$100*
Filing a will	\$39.50	\$50*
Guardianship	\$59.50	\$75*
Conservatorship	\$59.50	\$75*
Trusteeship	\$59.50	\$150

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Type of Fee	Current Fee	Proposed
Combined guardianship and conservatorship	\$59.50	\$150*
Certified probate proceedings under KSA 59-213	\$14.50	\$15*
Annual accounting of conservatorship		
Under \$10,000	\$0	\$10*
Over \$10,000	\$0	\$50*
Closing conservatorship		
Under \$10,000	\$0	\$10*
Over \$10,000	\$0	\$50*
Post-divorce motion and modification of agreed-upon order	\$20	\$40*
Fee assessed any case filed or docketed in the district court	\$101	\$150
Fee for registration of foreign judgments	\$0	\$150
Docket fee under Code of Civil Procedure for limited actions		
Under \$500	\$26**	\$26
Under \$5,000-over \$500	\$46**	\$50
Over \$5,000	\$76**	\$80
* Judicial Council Recommendation.		
** Approved by 2000 Legislature, but amendment needed to reconcile conflicting statutes.		



State of Kansas
Office of Judicial Administration
Kansas Judicial Center
301 SW 10th
Topeka, Kansas 66612-1507

(785) 296-2256

March 16, 2001

Senator Paul Feleciano, Jr.
Room 452-E, Statehouse
Topeka, Kansas 66612

Dear Senator Feleciano:

At yesterday's Senate Ways and Means Committee meeting, you asked about the new judge added by the 2000 Legislature for the 18th Judicial District (Wichita) and why that judge has no support staff. Although both an administrative assistant and a court reporter were requested for the judge, the Legislature appropriated funding only for the judge for half of the fiscal year. That judge joins 44 other district judges statewide who do not have assigned administrative assistants to perform clerical and administrative functions. Statewide, there are 160 district judge positions, and 116 administrative assistant positions. Of the 44 judges without administrative assistants, 15 judges have either Secretary I or Secretary II positions serving as confidential employees who work either part or full time performing administrative and clerical work for judges. The remaining 29 judges have neither administrative assistants nor secretaries serving as confidential employees.

At the time of court unification in the 1970s, all district judges did not have administrative assistants. In the years since that time, the Judicial Branch has requested additional personnel to meet this need. Although some positions have been added, the need has never been fully addressed. When the Judicial Branch requests new judge positions, an administrative assistant and court reporter are always requested together with the judge. However, some judge positions have been created without the accompanying support staff.

A similar situation exists with court reporters. Currently, there are 128.5 court reporters employed for the 160 district judges statewide. Additionally, none of the 74 district magistrate judges statewide have either administrative assistants or court reporters for support staff.

I hope that this information answers your question. Please feel free to contact me if any additional information would be helpful to you.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Porter".

Kathy Porter
Executive Asst. to Judicial Administrator

KP:mr

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State of Kansas
Office of Judicial Administration

Kansas Judicial Center
301 SW 10th
Topeka, Kansas 66612-1507

(785) 296-2256

March 16, 2001

Senator David Adkins
Statehouse
Room 503-N
Topeka, KS 66612

Dear Senator Adkins:

You requested we review the turnover in judicial positions. I looked at this in a couple of different ways. One reviews the number of judges who left the bench. Data was readily available from the beginning of FY 1999. If you want this analysis to go back further, please let me know and I will either contact the Department of Administration for access to their computer files or review our paper files.

This data is reflected in the first attachment and is broken down by type of judge and reason for leaving. Most of the "other" category are due to the normal election process. In those cases there are no turnover savings and in fact create a negative one day of savings since both the incumbent and the new judge are on for part of the day. Also shown for each year is the average length of time the position was vacant.

The second attachment shows amounts budgeted and expended on judges of the district court over the past 12 fiscal years. In each case the amount budgeted is from the current year estimate in our budget and the actual is from amount shown in the following year. While there may be some modest, mid-year changes in the benefit rates which make the numbers not perfectly comparable (e.g. the one quarter suspension of KPERS death and disability premiums during FY 1999) this reflects the long-term turnover savings that can be expected in this area. I believe you can see why I assert 1% is about all that can be expected.

I hope these two analyses explain judicial turnover sufficiently. If you would like more data or an additional analysis, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Sloan".

Jerry Sloan
Budget & Fiscal Officer

JS:mr
Attachments

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As of 3/15/01	Number of Judges Leaving	
FY 2001	DMJ	DJ
Retirement	1	7
Death		
Other	6	7
Average Time Vacant	9.3 Days	
	Number of Judges Leaving	
FY 2000	DMJ	DJ
Retirement	1	3
Death		
Other		1
Average Time Vacant	61.8 Days	
	Number of Judges Leaving	
FY 1999	DMJ	DJ
Retirement	3	4
Death		1
Other	2	
Average Time Vacant	35.0 Days	

District Court Judges

FY	Budgeted	Actual	Difference	Actual Turnover %
2000	23,157,210	23,229,479	-72,269	0.691%
1999	21,529,517	21,525,477	4,040	1.019%
1998	20,472,331	20,598,387	-126,056	0.390%
1997	19,774,879	19,733,493	41,386	1.207%
1996	18,408,611	18,138,566	270,045	2.452%
1995	17,045,121	17,020,150	24,971	1.145%
* 1994	15,895,928	16,033,287	-137,359	1.153%
1993	15,334,916	15,316,272	18,644	1.120%
1992	14,899,775	14,815,728	84,047	1.558%
1991	14,210,728	14,135,331	75,397	1.525%
1990	13,773,270	13,689,147	84,123	1.306%
1989	12,723,505	12,747,293	-23,788	0.114%
12 Year Average Turnover				1.140%

* Turnover budgeted at 2%

PROPOSED Substitute for SENATE BILL NO. 85

For Consideration By Committee on Ways and Means as Recommended
by Subcommittee on Judicial Branch

AN ACT concerning docket fees; relating to compensation for certain nonjudicial employees in the judicial branch; amending K.S.A. 21-4610a, 28-170 and 60-3005 and K.S.A. 2000 Supp. 20-1a14, 20-367, 21-4619, 22-2410, 59-104, 60-1621, 60-2001 and 60-4001 and repealing the existing sections; also repealing K.S.A. 2000 Supp. 20-367b and 61-2501.

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

Section 1. K.S.A. 2000 Supp. 20-1a14 is hereby amended to read as follows: 20-1a14. (a) There is hereby established in the state treasury the judicial branch nonjudicial salary initiative fund.

(b) All moneys credited to the judicial branch nonjudicial salary initiative fund shall be used for compensation of nonjudicial officers and employees of the district courts, court of appeals and the supreme court and shall not be expended for compensation of judges or justices of the judicial branch. Moneys in the fund shall be used only to pay for that portion of the cost of salaries and wages of nonjudicial personnel of the judicial branch, including associated employer contributions, which shall not exceed the difference between the amount of expenditures that would be required under the judicial branch pay plan for nonjudicial personnel in effect prior to the effective date of this act and the amount of expenditures required under the judicial branch pay plan for nonjudicial personnel after the cost-of-living adjustments and the adjustments for upgrades in pay rates for nonjudicial personnel approved by the chief justice of the Kansas supreme court for fiscal year 2001. For fiscal years commencing on and after June 30, 2001, moneys in such fund shall be used only for the amount attributable to maintenance of the judicial branch pay plan for nonjudicial personnel for such adjustments and upgrades approved by the chief justice of the supreme court for fiscal year 2001 and for any reclassifications and salary initiatives that may be necessary for the judicial branch to hire and retain qualified employees.

(c) All expenditures from the judicial branch nonjudicial

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3-16-01
Attachment 21

salary initiative fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

(d) The enactment of this legislation shall not be considered a statement of legislative intent to endorse future state general fund financing for ensuing fiscal years for the proposed nonjudicial pay plan contained in the report to the Kansas supreme court by the nonjudicial salary initiative entitled nonjudicial employee compensation submitted to the 2000 legislature.

Sec. 2. K.S.A. 2000 Supp. 20-367 is hereby amended to read as follows: 20-367. Of the remittance of the balance of docket fees received monthly by the state treasurer from clerks of the district court pursuant to subsection (f) of K.S.A. 20-362, and amendments thereto, the state treasurer shall deposit and credit to the access to justice fund₇: (a)(1) A sum equal to ~~6.05%~~ 5.63% of the remittances of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 5.37% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the juvenile detention facilities fund₇: (b)(1) A sum equal to ~~3.36%~~ 3.13% of the remittances of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 2.99% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the judicial branch education fund, the state treasurer shall deposit and credit: (c)(1) A sum equal to ~~2.58%~~ 2.40% of the remittances of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 2.29% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the crime victims assistance fund, the state treasurer shall deposit and credit: (d)(1) A sum equal to ~~.69%~~ .64% of the remittances of the docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to .61% of the

remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the protection from abuse fund, the state treasurer shall deposit and credit: (e)(1) A sum equal to ~~2.07%~~ 1.93% of the remittances of the docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 1.84% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the judiciary technology fund, the state treasurer shall deposit and credit: (f)(1) A sum equal to ~~5.23%~~ 4.87% of the remittances of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 4.65% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the dispute resolution fund, the state treasurer shall deposit and credit: (g)(1) A sum equal to ~~.43%~~ .40% of the remittances of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to .38% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the Kansas juvenile delinquency prevention trust fund, the state treasurer shall deposit and credit: (h)(1) A sum equal to ~~1.53%~~ 1.42% of the remittances of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 1.36% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the permanent families account in the family and children investment fund, the state treasurer shall deposit and credit: (i)(1) A sum equal to ~~.25%~~ .23% of the remittances of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to .22% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; to the trauma fund: (j)(1) A sum equal to ~~1.81%~~ 1.68% of the remittance of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 1.61% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter; and to the judicial branch nonjudicial salary initiative fund, the state treasurer shall deposit and credit: (k)(1) A sum equal to ~~21.97%~~ 27.87% of the

remittance of docket fees for the fiscal year ending June 30, 2002, and (2) a sum equal to 31.13% of the remittances of docket fees for the fiscal year ending June 30, 2003, and fiscal years thereafter. The balance remaining of the remittances of docket fees shall be deposited and credited to the state general fund.

Sec. 3. K.S.A. 21-4610a is hereby amended to read as follows: 21-4610a. (a) Each person placed under the probation supervision of a court services officer or other officer or employee of the judicial branch by a judge of the district court under K.S.A. 21-4610 and amendments thereto and each person assigned to a community correctional services program shall pay a probation or community correctional services fee. If the person was convicted of a misdemeanor, the amount of the probation services fee ~~is-\$25~~ shall be \$10 per month for the term of probation to which the probationer was originally sentenced, and if the person was convicted of a felony, the amount of the probation or community correctional services fee ~~is-\$50,~~ shall be \$20 per month for the term of probation to which the probationer was originally sentenced, except that in any case the amount of the probation or community correctional services fee specified by this section may be reduced or waived by the judge if the person is unable to pay that amount.

(b) The probation or community correctional services fee imposed by this section shall be charged and collected by the district court. The clerk of the district court shall remit at least monthly all revenues received under this section from probation or community correctional services fees to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the state general fund.

(c) This section shall not apply to persons placed on probation or released on parole to reside in Kansas under the uniform act for out-of-state parolee supervision.

Sec. 4. K.S.A. 2000 Supp. 21-4619 is hereby amended to read as follows: 21-4619. (a) (1) Except as provided in subsections

(b) and (c), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, nondrug crimes ranked in severity levels 6 through 10 or any felony ranked in severity level 4 of the drug grid, may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b) and (c), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Except as provided in subsection (c), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any nondrug crime ranked in severity levels 1 through 5 or any felony ranked in severity levels 1 through 3 of the drug grid, or:

(1) Vehicular homicide, as defined by K.S.A. 21-3405 and amendments thereto or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) a violation of K.S.A. 8-1567 and amendments thereto, or a violation of any law of another state, which declares to be unlawful the acts prohibited by that statute;

(3) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended

or revoked, as prohibited by K.S.A. 8-262 and amendments thereto or as prohibited by any law of another state which is in substantial conformity with that statute;

(4) perjury resulting from a violation of K.S.A. 8-261a and amendments thereto or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(5) violating the provisions of the fifth clause of K.S.A. 8-142 and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(6) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(7) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603 or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(8) violating the provisions of K.S.A. 40-3104 and amendments thereto, relating to motor vehicle liability insurance coverage; or

(9) a violation of K.S.A. 21-3405b, prior to its repeal.

(c) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses: (1) Rape as defined in subsection (a)(2) of K.S.A. 21-3502 and amendments thereto; (2) indecent liberties with a child as defined in K.S.A. 21-3503 and amendments thereto; (3) aggravated indecent liberties with a child as defined in K.S.A. 21-3504 and amendments thereto; (4) criminal sodomy as defined in subsection (a)(2) or (a)(3) of K.S.A. 21-3505 and amendments thereto; (5) aggravated criminal sodomy as defined in K.S.A. 21-3506 and amendments thereto; (6) indecent solicitation of a child as defined in K.S.A. 21-3510 and amendments thereto; (7) aggravated indecent solicitation of a child as defined in K.S.A. 21-3511 and amendments thereto; (8) sexual exploitation of a child as defined in K.S.A. 21-3516 and

amendments thereto; (9) aggravated incest as defined in K.S.A. 21-3603 and amendments thereto; (10) endangering a child as defined in K.S.A. 21-3608 and amendments thereto; (11) abuse of a child as defined in K.S.A. 21-3609 and amendments thereto; (12) capital murder as defined in K.S.A. 21-3439 and amendments thereto; (13) murder in the first degree as defined in K.S.A. 21-3401 and amendments thereto; (14) murder in the second degree as defined in K.S.A. 21-3402 and amendments thereto; (15) voluntary manslaughter as defined in K.S.A. 21-3403 and amendments thereto; (16) involuntary manslaughter as defined in K.S.A. 21-3404 and amendments thereto; (17) involuntary manslaughter while driving under the influence of alcohol or drugs as defined in K.S.A. 2000 Supp. 21-3442 and amendments thereto; or (18) any conviction for any offense in effect at any time prior to the effective date of this act, that is comparable to any offense as provided in this subsection.

(d) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. Except as otherwise provided by law, a petition for expungement shall be accompanied by payment of a docket fee in the amount of \$150. The petition shall state: (1) The defendant's full name;

(2) the full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(3) the defendant's sex, race and date of birth;

(4) the crime for which the defendant was arrested, convicted or diverted;

(5) the date of the defendant's arrest, conviction or diversion; and

(6) the identity of the convicting court, arresting law enforcement authority or diverting authority. ~~There shall be no docket fee for filing a petition pursuant to this section.~~ All petitions for expungement shall be docketed in the original

criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the Kansas parole board.

(e) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(f) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions: (A) In any application for employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01 and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01 and

amendments thereto; or with an institution, as defined in K.S.A. 76-12a01 and amendments thereto, of the department of social and rehabilitation services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(F) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(G) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(H) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-1252 and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose

of the new commitment.

(g) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(h) Subject to the disclosures required pursuant to subsection (f), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime, but the expungement of a felony conviction does not relieve an individual of complying with any state or federal law relating to the use or possession of firearms by persons convicted of a felony.

(i) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining

information relating to employment in an institution, as defined in K.S.A. 76-12a01 and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas sentencing commission;

(11) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming

commission or to hold a license issued pursuant to a tribal-gaming compact; or

(12) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged.

(j) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 5. K.S.A. 2000 Supp. 22-2410 is hereby amended to read as follows: 22-2410. (a) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. Except as otherwise provided by law, a petition for expungement shall be accompanied by payment of a docket fee in the amount of \$150. The petition shall state: (1) The petitioner's full name;

(2) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;

(3) the petitioner's sex, race and date of birth;

(4) the crime for which the petitioner was arrested;

(5) the date of the petitioner's arrest; and

(6) the identity of the arresting law enforcement agency.

~~There--shall--be--no--docket--fee--for--filing--a--petition--pursuant--to--this--section.~~ Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings,

if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

(2) a court has found that there was no probable cause for the arrest;

(3) the petitioner was found not guilty in court proceedings; or

(4) the expungement would be in the best interests of justice and (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the federal bureau of investigation, the Kansas bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes: (1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01 and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01 and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01 and amendments thereto, of the department of social and rehabilitation services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142 and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(g) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(h) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 6. K.S.A. 28-170 is hereby amended to read as follows: 28-170. (a) The docket fee prescribed by K.S.A. 60-2001 and amendments thereto shall be the only costs assessed for services of the clerk of the district court and the sheriff in any case filed under chapter 60 of the Kansas Statutes Annotated. For

services in other matters in which no other fee is prescribed by statute, the following fees shall be charged and collected by the clerk. Only one fee shall be charged for each bond, lien or judgment:

- 1. For filing, entering and releasing a bond, mechanic's lien, notice of intent to perform, personal property tax judgment or any judgment on which execution process cannot be issued \$5 \$20
- 2. For filing, entering and releasing a judgment of a court of this state on which execution or other process can be issued ~~15~~ 20
- 3. For a certificate, or for copying or certifying any paper or writ, such fee as shall be prescribed by the district court.

(b) The fees for entries, certificates and other papers required in naturalization cases shall be those prescribed by the federal government and, when collected, shall be disbursed as prescribed by the federal government. The clerk of the court shall remit to the state treasurer at least monthly all moneys received from fees prescribed by subsection (a) or (b) or received for any services performed which may be required by law. The state treasurer shall deposit the remittance in the state treasury and credit the entire amount to the state general fund.

(c) In actions pursuant to the Kansas code for care of children (K.S.A. 38-1501 et seq. and amendments thereto), the Kansas juvenile justice code (K.S.A. 38-1601 et seq. and amendments thereto), the act for treatment of alcoholism (K.S.A. 65-4001 et seq. and amendments thereto), the act for treatment of drug abuse (K.S.A. 65-5201 et seq. and amendments thereto) or the care and treatment act for mentally ill persons (K.S.A. 2000 Supp. 59-2945 et seq. and amendments thereto), the clerk shall charge an additional fee of \$1 which shall be deducted from the docket fee and credited to the prosecuting attorneys' training fund as provided in K.S.A. 28-170a and amendments thereto.

(d) In actions pursuant to the Kansas code for care of children (K.S.A. 38-1501 et seq. and amendments thereto), the Kansas juvenile justice code (K.S.A. 38-1601 et seq. and amendments thereto), the act for treatment of alcoholism (K.S.A. 65-4001 et seq. and amendments thereto), the act for treatment of

drug abuse (K.S.A. 65-5201 et seq. and amendments thereto) or the care and treatment act for mentally ill persons (K.S.A. 2000 Supp. 59-2945 et seq. and amendments thereto), the clerk shall charge an additional fee of \$.50 which shall be deducted from the docket fee and credited to the indigents' defense services fund as provided in K.S.A. 28-172b and amendments thereto.

Sec. 7. K.S.A. 2000 Supp. 59-104 is hereby amended to read as follows: 59-104. (a) Docket fee. Except as otherwise provided by law, no case shall be filed or docketed in the district court under the provisions of chapter 59 of the Kansas Statutes Annotated or of articles 40 and 52 of chapter 65 of the Kansas Statutes Annotated without payment of an appropriate docket fee as follows:

Treatment of mentally ill.....	\$24-50	<u>\$30.00</u>
Treatment of alcoholism or drug abuse.....	24-50	<u>30.00</u>
Determination of descent of property.....	39-50	<u>150.00</u>
Termination of life estate.....	39-50	<u>50.00</u>
Termination of joint tenancy.....	39-50	<u>50.00</u>
Refusal to grant letters of administration.....	39-50	<u>50.00</u>
Adoption.....	39-50	<u>50.00</u>
<u>Step-parent adoption</u>		<u>50.00</u>
<u>Adult adoption</u>		<u>50.00</u>
<u>SRS adoption</u>		<u>10.00</u>
<u>Agency adoption</u>		<u>100.00</u>
<u>Independent adoption</u>		<u>100.00</u>
<u>International adoption (K.S.A. 59-2144 and amendments thereto)</u>		<u>100.00</u>
Filing a will and affidavit under K.S.A. 59-618a <u>and amendments thereto</u>	39-50	<u>50.00</u>
Guardianship.....	59-50	<u>100.00</u>
Conservatorship.....	59-50	<u>100.00</u>
Trusteeship.....	59-50	<u>100.00</u>
Combined guardianship and conservatorship.....	59-50	<u>100.00</u>
Certified probate proceedings under K.S.A. 59-213, and amendments thereto.....	14-50	<u>15.00</u>
<u>Annual accounting of conservatorship under \$10,000</u>		<u>10.00</u>
<u>Annual accounting of conservatorship over \$10,000</u>		<u>50.00</u>

<u>Closing conservatorship under \$10,000.....</u>	<u>10.00</u>
<u>Closing conservatorship over \$10,000.....</u>	<u>50.00</u>
Decrees in probate from another state.....	99.50
Probate of an estate or of a will.....	99.50
Civil commitment under K.S.A. <u>2000 Supp. 59-29a01 et</u> <u>seq. and amendments thereto.....</u>	24.50

(b) Poverty affidavit in lieu of docket fee and exemptions.

The provisions of subsection (b) of K.S.A. 60-2001 and K.S.A. 60-2005, and amendments thereto, shall apply to probate docket fees prescribed by this section.

(c) Disposition of docket fee. Statutory charges for the law library and for the prosecuting attorneys' training fund shall be paid from the docket fee. The remainder of the docket fee shall be paid to the state treasurer in accordance with K.S.A. 20-362, and amendments thereto.

(d) Additional court costs. Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process outside the state, fees for depositions, transcripts and publication of legal notice, executor or administrator fees, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties or estate as directed by the court. No sheriff in this state shall charge any district court in this state a fee or mileage for serving any paper or process.

Sec. 8. K.S.A. 2000 Supp. 60-1621 is hereby amended to read as follows: 60-1621. (a) No post-decree motion petitioning for a change in legal custody, residency, visitation rights or parenting time, any modification of an agreed order or for a modification of child support shall be filed or docketed in the district court without payment of a docket fee in the amount of ~~\$20~~ \$40 to the clerk of the district court.

(b) A poverty affidavit may be filed in lieu of a docket fee

as established in K.S.A. 60-2001, and amendments thereto.

(c) The docket fee shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. The docket fee shall be disbursed in accordance with subsection (f) of K.S.A. 20-362, and amendments thereto.

Sec. 9. K.S.A. 2000 Supp. 60-2001 is hereby amended to read as follows: 60-2001. (a) Docket fee. Except as otherwise provided by law, no case shall be filed or docketed in the district court, whether original or appealed, without payment of a docket fee in the amount of ~~\$100~~ \$150 to the clerk of the district court.

(b) Poverty affidavit in lieu of docket fee. (1) Effect. In any case where a plaintiff by reason of poverty is unable to pay a docket fee, and an affidavit so stating is filed, no fee will be required. An inmate in the custody of the secretary of corrections may file a poverty affidavit only if the inmate attaches a statement disclosing the average account balance, or the total deposits, whichever is less, in the inmate's trust fund for each month in (A) the six-month period preceding the filing of the action; or (B) the current period of incarceration, whichever is shorter. Such statement shall be certified by the secretary. On receipt of the affidavit and attached statement, the court shall determine the initial fee to be assessed for filing the action and in no event shall the court require an inmate to pay less than \$3. The secretary of corrections is hereby authorized to disburse money from the inmate's account to pay the costs as determined by the court. If the inmate has a zero balance in such inmate's account, the secretary shall debit such account in the amount of \$3 per filing fee as established by the court until money is credited to the account to pay such docket fee. Any initial filing fees assessed pursuant to this subsection shall not prevent the court, pursuant to subsection (d), from taxing that individual for the remainder of the amount required under subsection (a) or this subsection.

(2) Form of affidavit. The affidavit provided for in this

subsection shall be in the following form and attached to the petition:

State of Kansas, _____ County.

In the district court of the county: I do solemnly swear that the claim set forth in the petition herein is just, and I do further swear that, by reason of my poverty, I am unable to pay a docket fee.

(c) Disposition of docket fee. The docket fee shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. The docket fee shall be disbursed in accordance with K.S.A. 20-362 and amendments thereto.

(d) Additional court costs. Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process outside the state, fees for depositions, alternative dispute resolution fees, transcripts and publication, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties as directed by the court. No sheriff in this state shall charge any district court in this state a fee or mileage for serving any paper or process.

Sec. 10. K.S.A. 60-3005 is hereby amended to read as follows: 60-3005. Any person filing a foreign judgment shall pay to the clerk of the district court a docket fee ~~as prescribed by K.S.A. 60-2001, and amendments thereto~~ in the amount of \$150. Any additional fees or charges not specifically covered by the docket fee shall be assessed as additional court costs in the same manner and to the same extent as if the action had been originally commenced in the court where the foreign judgment is filed.

Sec. 11. K.S.A. 2000 Supp. 61-4001 is hereby amended to read as follows: 61-4001. (a) Docket fee. No case shall be filed or docketed pursuant to the code of civil procedure for limited actions without the payment of a docket fee in the amount of ~~\$19.50~~ \$26, if the amount in controversy or claimed does not

exceed \$500; ~~\$39-50~~ \$50, if the amount in controversy or claimed exceeds \$500 but does not exceed \$5,000; or ~~\$64-50~~ \$80, if the amount in controversy or claimed exceeds \$5,000. If judgment is rendered for the plaintiff, the court also may enter judgment for the plaintiff for the amount of the docket fee paid by the plaintiff.

(b) Poverty affidavit; additional court costs. The provisions of subsections (b), (c) and (d) of K.S.A. 60-2001, and amendments thereto, shall be applicable to lawsuits brought under the code of civil procedure for limited actions.

Sec. 12. K.S.A. 21-4610a, 28-170 and 60-3005 and K.S.A. 2000 Supp. 20-1a14, 20-367, 20-367b, 21-4619, 22-2410, 59-104, 60-1621, 60-2001, 60-4001 and 61-2501 are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the statute book.