

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:38 a.m. on Tuesday, February 8, 2005, in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Athena Andaya, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mary Ann Torrence, Revisor of Statutes Office
Dee Woodson, Committee Secretary

Conferees appearing before the committee:

Carol Williams, Executive Director, Kansas Governmental Ethics Commission
Shelby Smith, Ad Hoc Lobbyist Campaign Finance Committee
Roger Werholtz, Secretary, Kansas Department of Corrections

Others attending:

See attached list.

Chairman Brungardt announced that copies of written testimony were distributed from last week's hearing on **SB 77** from the Kansas Association of Chiefs of Police, revised testimony from the League of Kansas Municipalities, and copy of the Fiscal Note on the original draft of **SB 77** as information only. He said that the written testimony from Kyle Smith, on behalf of the Kansas Peace Officers Association, would be forth coming and distributed upon receipt. The Chairman called for bill introductions.

Senator John Vratil presented a bill draft and requested the proposed bill be introduced to authorize a commercial real estate broker to file a lien in order to assist in collection of compensation that the broker is entitled to pursuant to a written agreement. There were no Committee questions.

Senator Vratil moved to introduce the drafted bill, seconded by Senator Ostmeyer, and the motion carried.

Tim Madden, Kansas Department of Corrections, presented a bill draft and requested the proposed legislation be introduced relating to funding for Department of Corrections' offender substance abuse treatment programs, amending K.S.A. 2004 supp. 74-7336 and repealing the existing section.

Chairman Brungardt asked where the funds would come from to fund the proposal. Mr. Madden replied that the unallocated balance of those funds goes to the State General Fund as it is, and when it is all added up it comes out to around 30% being allocated from the District Court costs; thus it would come out of the General Fund.

Senator Gilstrap moved to introduce the requested bill, seconded by Senator Vratil, and the motion carried.

SB 68 - Elections; establishing requirements for daily reporting of campaign contributions

Chairman Brungardt opened the hearing on **SB 68**. Carol Williams, Kansas Governmental Ethics Commission, testified in support of the proposed bill. She stated that the Commission believes that independent expenditures made by political and party committees in the final days before an election should be reported and made available to the public prior to an election. (Attachment 1)

Ms. Williams explained that under current law, any independent expenditures made by a political action committee or party committee during the time period from eleven days before the primary election through the date of the primary election go unreported until eight days before the general election. Any independent expenditures made during the time period from eleven days before the general election through the date of the general election are not disclosed until the January 10 Receipts and Expenditures Report is filed. This post election reporting of last minute independent expenditures does not provide the citizens of Kansas with timely information concerning money spent in support of or opposition to

CONTINUATION SHEET

MINUTES OF THE Senate Federal and State Affairs Committee at 10:38 a.m. on Tuesday, February 8, 2005, in Room 231-N of the Capitol.

candidates for state or local office. She added that in the U.S., 21 states require the reporting of last minute independent expenditures.

Ms. Williams said that **SB 68** would require treasurers for political action committees and party committees to file a report of any independent expenditures made by the committee in the amount of \$300 or more before close of the next business day with the Secretary of State and/or county election officer by e-mail, facsimile transmission, telegram, or express delivery service.

Ms. Williams recommended three amendments be made to the bill: (1) on line 18, after the word "made" the phrase "or contracted to be made" should be added. This would assure reporting by a committee that has not actually paid a vendor for services that have been rendered or contracted for; (2) on lines 22 and 27, after the word "expenditure" add the phrase "as well as the name of the candidate the independent expenditure expressly advocates the election or defeat of" be added. For this new disclosure to have meaning, the candidate who is identified in the independent expenditure must be disclosed; and (3) lines 30-31 should be replaced with the following "Reports required by this section shall be filed by hand delivery, express delivery service, facsimile transmission, or any electronic method authorized by the Commission".

Senator Vratil requested Ms. Williams to work with the Revisor to present the Committee with a balloon of the requested revisions. Ms. Williams said she would be glad to.

Committee questions and discussion followed.

Shelby Smith, testified in favor of **SB 68**, on behalf of an Ad Hoc Lobbyist Campaign Finance Committee (John Bottenberg, Dina Fisk, Jim Maag, and John Pinegar), and within the context of supporting the recommendations of the Governmental Ethics Commission. He talked about a big window of opportunity that is now open to protect Kansas' open culture of responsible and responsive government, and to correct a glaring failure in the state's campaign law. He stated that Kansas taxpayers are owed timely and accurate information about the election process, the basic exercise of our country's democracy.

Mr. Smith said that the Ad Hoc's support of the Commission's recommendations arises again and again from the fundamental need for disclosure. He stated that the Ad Hoc additionally recommended mandatory campaign electronic filing. The Secretary of State and the Governmental Ethics Commission are encouraged to come forward with a joint proposal to accept the filings, and to make them accessible with posting on the Secretary of State's web site. He concluded that the Governor has clearly shown her solid support for an overhaul of Kansas' campaign finance laws. Mr. Smith included with his written testimony a copy of an article regarding campaign finance reform from *The Wichita Eagle*, dated December 31, 2004. (Attachment 2)

There being no Committee questions, the Chairman closed the hearing on **SB 68**.

SB 17 - Meetings of party caucuses of the house of representatives and the senate

Chairman Brungardt called for discussion and possible final action on **SB 17**. Senator Hensley suggested that the Committee confine his balloon amendment, offered at the time of the January 20th hearing, to only the task forces, advisory committee or subcommittees of advisory committees created by an incoming Governor as opposed to getting into local units of government. Senator Hensley said that following the discussion held after the hearing, he felt this would eliminate some of the confusion regarding this bill. He suggested that only the first paragraph of the balloon amendment be adopted, and felt political party caucuses should be open to the public, but not the Committee on Organization, Calendar, and Rules. Committee discussion followed Senator Hensley's comments and suggestions.

Following considerable discussion, Chairman Brungardt announced **SB 17** would be rescheduled for further discussion and final action at a later meeting date in order to give Senator Hensley time to rework his balloon amendment. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE Senate Federal and State Affairs Committee at 10:38 a.m. on Tuesday, February 8, 2005, in Room 231-N of the Capitol.

SB 47 - Dissemination of department of corrections rules and regulations to inmates

Chairman Brungardt called for discussion and final action on **SB 47**. The Revisor reviewed the proposed bill. She explained that it simply removes the requirement in current law that a copy of the rules and regulations adopted by the Secretary of the Kansas Department of Corrections for discipline and good order be provided to every inmate. The Department told the Committee that those copies are available in the institutional library or by other means.

Chairman Brungardt noted that there was a small Fiscal Note which the Director of the Budget stated the expenditure savings would be negligible. (Attachment 4) There were no questions on the proposed legislation.

Senator Vratil moved to recommend SB 47 favorably for passage, seconded by Senator Brownlee, and the motion carried.

Chairman Brungardt called upon Roger Werholtz, Secretary of the Kansas Department of Corrections (KDOC), to give a presentation on the department's Facility Staff Levels Compared to Inmate Population and the employee pay scale. Mr. Werholtz's written handout contained charts and information regarding KDOC's staff at the various facilities through the state. On page 3 of his handout, a detailed table of KDOC's Staff Salary Comparison as of the Fall of 2004, with other states and local entities, was included. Compared to other states, Kansas ranked at mid-point, but in comparison with local units of government in Kansas, KDOC ranked next to last. (Attachment 5)

Secretary Werholtz referred the Committee to page 4, which contained data describing salaries for uniformed line level supervisors, or first level supervisory personnel. He said when compared with other states in this example, Kansas ranks at the top; however, KDOC's position doesn't change too much when it is compared again with units of local government. Regarding page 5 of the handout titled "Corrections Counselor I's", Secretary Werholtz explained was a description of the line level, non-uniform personnel. These employees have the responsibility for seeing that inmates are properly programmed, that the inmates go to their jobs, manage the inmates' progress throughout the facility, and become involved with preparing the inmates for release from the facility. He stated there are no comparable positions in local government entities to which they can compare these jobs to.

Secretary Werholtz talked about the other two issues he hears most frequently about from his staff have to do with benefits and turnover. He referred the Committee to the very last page of the handout which was a spreadsheet reporting "Staff Turnover for FY 2005 - YTD". He gave the example of the "LCF" column representing the "Lansing Correctional Facility", which is the facility KDOC most often talks about in regard to turnover, difficulty in recruiting and retaining staff. He thoroughly explained the turnover rate. Secretary Werholtz stated the significance from an operational point of view for KDOC, was that this often means particularly on second and third shifts, the majority of KDOC's staff has less than two years experience. He added that this situation can be problematic in the sense of trying to manage large correctional institutions with volatile and unpredictable populations when the department does not have enough experienced personnel at that location.

Secretary Werholtz said the issues his staff frequently talks about relating to the subject of benefits is either the cost of health insurance or retirement. He stated that from time to time KDOC has requested that their employees be included in the Kansas Police and Fire (KP&F) retirement, but it has a huge fiscal note of \$5.9 million. He explained what the cost would be if it was shared among all of the participants of KP&F: KDOC's share would be \$4.8 million, other state agencies would be about \$200,000, and local units of government would pick up an additional \$1.4 million. He also included in his handout a chart of the staff employees injured in the line of duty and incidents resulting in missed work during 2004.

Chairman Brungardt asked what the current retirement situation was for Corrections' employees. Secretary Werholtz responded that the uniform personnel are under the Corrections' KPERS umbrella. Senator Reitz expressed his concern regarding the huge turnover rate, and said it shows employee job dissatisfaction. Secretary Werholtz stated that it indicated that KDOC has too many inexperienced staff on duty at certain times of the day, at certain facilities. He explained that often times KDOC structures the

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facilities on the basis of who lives in them, rather than who works in the facilities.

Chairman Brungardt expressed the Committee's appreciation to Secretary Werholtz for his informative presentation.

The meeting was adjourned at 11:35 a.m. The next meeting is scheduled for Wednesday, February 9, at 10:30 a.m.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE GUEST LIST

DATE Tuesday, Feb. 8, 2005

JEREMY S BARCLAY	KDOC
Joel Hrabe	KDOC
Gary Wilson	KDOC
Patrick Douglas	KDOC
Johnnie Goddard	KDOC
PEGGY LERO	KDOC
Tina J. Murrell	KDOC
Cindy Stegatal	KDOC
William Cummings	KDOC
Paul Paul	KDOC
Cheryl	KDOC
Jim Hunt	KDOC
Kathleen Graves	KDOC
Jennifer Welch	KDOC
Don Schwartz	KDOC
Rick Fischli	KDOC
Teresa Lee	KDOC
Mark M... ..	KDOC
Steve Schmidt	KDOC
Becky Galbraith	KDOC
Kyle Deere	" "
SHERY SWICK	Proud Citizen
Dennis Williams	KDOC
Judy Curtis	KDOC
Jennie Walker	KDOC

**GOVERNMENTAL ETHICS COMMISSION**

www.accesskansas.org/ethics

**Testimony before Senate Federal and State Committee
in Support of Senate Bill 68**

by Carol Williams, Executive Director

February 8, 2005

Senate Bill 68 is a recommendation made by the Governmental Ethics Commission in its 2005 Annual Report and Recommendations.

The mission of the Kansas Governmental Ethics Commission is to provide the public with timely and accurate information they need for knowledgeable participation in government and the electoral process. In fulfilling its mission, the Commission believes that independent expenditures made by political and party committees in the final days before an election should be reported and made available to the public prior to an election.

Under current law, any independent expenditures made by a political action committee or party committee during the time period from eleven days before the primary election through the date of the primary election go unreported until eight days before the general election. Any independent expenditures made during the time period from eleven days before the general election through the date of the general election are not disclosed until the January 10 Receipts and Expenditures Report is filed. This post election reporting of last minute independent expenditures does not provide the citizens of Kansas with timely information concerning money spent in support of or opposition to candidates for state or local office. In the United States, twenty-one states require the reporting of last minute independent expenditures.

Senate Bill 68 would require treasurers for political action committees and party committees to file a report of any independent expenditures made by the committee in the amount of \$300 or more before close of the next business day with the Secretary of State and/or county election officer by e-mail, facsimile transmission, telegram, or express delivery service.

After careful review of Senate Bill 68, the following amendments are recommended: 1)

**Senate Federal & State Affairs
Committee**

2-08-05

Attachment 1

on line 18, after the word "made" the phrase "or contracted to be made" should be added. This would assure reporting by a committee that has not actually paid a vendor for services that have been rendered or contracted for; 2) on lines 22 and 27, after the word "expenditure" add the phrase "as well as the name of the candidate the independent expenditure expressly advocates the election or defeat of" be added. For this new disclosure to have meaning, the candidate who is identified in the independent expenditure must be disclosed; and 3) lines 30-31 should be replaced with the following "Reports required by this section shall be filed by hand delivery, express delivery service, facsimile transmission, or any electronic method authorized by the Commission".

The Commission urges your support for passage of Senate Bill 68.

SENATE BILL No. 68

By Committee on Elections and Local Government

1-20

1-3

9 AN ACT concerning campaign finance; relating to independent
10 expenditures.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) Every treasurer for a party committee or political com-
14 mittee shall file reports of independent expenditures as prescribed by this
15 act. Reports shall be filed with the secretary of state. Reports required
16 by this section shall be in additions to any other reports required by law.

17 (b) The report shall contain the name and address of each party com-
18 mittee or political committee which has made independent expenditures
19 in an aggregate amount or value in excess of \$50 or more during the
20 period commencing 11 days before a primary or general election at which
21 a state or local officer is to be elected and ending upon the day of such
22 election. Such report shall contain the amount, date and purpose of each
23 such independent expenditure. When an independent expenditure is
24 made by payment to an advertising agency, public relations firm or po-
25 litical consultant for disbursement to vendors, the report of such inde-
26 pendent expenditure shall show in detail the name of each such vendor
27 and the amount, date and purpose of the payments to each. The report
28 shall be made on or before the close of the next business day in which
29 any independent expenditure is made.

30 (c) ~~Reports required by this section shall be filed via e-mail, facsimile
31 transmission, telegram or express delivery service.~~

32 (d) (1) "Expenditure" shall have the meaning ascribed to it in K.S.A.
33 25-4143 and amendments thereto.

34 (2) "Independent expenditure" means an expenditure that is not con-
35 trolled by or coordinated with any candidate or agent of such candidate.

36 (3) "Party committee" shall have the meaning ascribed to it in K.S.A.
37 25-4143 and amendments thereto.

38 (4) "Political committee" shall have the meaning ascribed to it in
39 K.S.A. 25-4143 and amendments thereto.

40 Sec. 2. The provisions of this act shall be part of and supplemental
41 to the campaign finance act.

42 Sec. 3. This act shall take effect and be in force from and after its
43 publication in the statute book.

[or contracted to be made

as well as the name of the candidate the independent expenditure
expressly advocates the election or defeat of.

as well as the name of the candidate the independent expenditure
expressly advocates the election or defeat of

Reports required by this section shall be filed by hand delivery,
express delivery service, facsimile transmission, or any electronic
method authorized by the commission.

TESTIMONY – CAMPAIGN FINANCE
Shelby Smith
SENATE FEDERAL & STATE AFFAIRS COMMITTEE
February 8, 2005

I'm testifying on behalf of an Ad Hoc Lobbyist Campaign Finance Committee (John Bottenberg, Dina Fisk, Jim Maag, John Pinegar) in support of SB 68 within the context of supporting the recommendations of the Governmental Ethics Commission. We're here as private citizens representing only our individual concerns and no one else.

Our singular interest is disclosure.

Kansans enjoy a clean and otherwise open culture of responsible and responsive government. A big window of opportunity is now open to protect that integrity and to correct a glaring failure in our campaign finance laws. Kansas received a failing grade from the Center for Governmental Studies on our campaign finance law. The fact is, current Kansas law is a bit of a joke. We owe Kansas taxpayers timely and accurate information about the election process, the basic exercise of our democracy.

We're especially emphatic in our support of SB68 (Recommendation 3) and SB65 (Rec. 2) which will at last plug the black hole of non-disclosure in the eleven days before primary elections and the eleven days preceding the general election. Under current Kansas law, contributions and expenditure made during the critical all important campaign advertising days are not made public until 90 days after the primary or 75 days after the general election. Disclosure on this schedule is worthless.

We lobbyists are also strong in our support of SB64 (Rec. 5) which should unveil the source of out of state money, and the true identity of groups and individuals who seek to influence, surreptitiously, the election or defeat of a candidate via Issue Ads. This reform requires the sponsors of Issue Ads which identifies a candidate by name, or picture or position to file a report as must all PACs. The intent here is not to restrict or eliminate 527s, but rather full disclosure of their politics and money.

Our support of the Commission's recommendations arises again and again from the fundamental need for disclosure, to wit: SB66 (Rec. 1) requires money spent on behalf of a candidate be identified in the Receipts and Expenditure Report. Then SB67 (Rec. 4) demands the disclosure of funding sources for recorded telephone bank messages in the same way that the sponsors for television, radio, and print messages must be identified.

Additionally, we recommend mandatory campaign electronic filing. The Secretary of State and the Governmental Ethics Commission are encouraged to come forward with a Joint Proposal to accept these filings and to make them accessible with posting on the Secretary of State's web site. For the reforms to have real meaning, real transparency, I CANNOT OVER-EMPHASIZE THE IMPORTANCE OF THIS REQUIREMENT. (See the attached Letter to the Editor from an Overland Park writer to the Wichita paper.)

Governor Sebelius' State of the State address, January 10, 2005, clearly shows her solid support for an overhaul of our campaign finance laws. On January 27 she threw her support wholeheartedly behind the Commission's recommendations. We commend her leadership on this issue.

We also recognize the fact the highly diverse and independent nine-member Commission passed the five recommendations on unanimous votes. **THE TIME IS NOW.**

Senate Federal & State Affairs
Committee
2-08-05
Attachment 2

THE WICHITA EAGLE

OPINION

Now you know.

READER VIEWS

Finance reform

I commend The Wichita Eagle editorial board for its leadership in calling for campaign finance reform in Kansas ("Disclose: State's campaign finance law is a joke," Dec. 22 Opinion). However, one item missing was a call for these records to be online and freely available, as in Missouri.

The Kansas secretary of state charges a ridiculous fee of 50 cents per page for copies of campaign finance documents. Neither the secretary of state nor the Kansas Governmental Ethics Commission will publish the amount of money raised, spent or in the bank for each candidate or political action committee for each reporting period. Without buying all the contribution reports, it's impossible to see how big the political "pie" is in Kansas. It's impossible to compare the relative political financial strength of candidates or groups.

One would think the Kansas press might report about political money. But The Wichita Eagle and The Salina Journal were the only two newspapers in Kansas to report that Wichita abortion doctor George Tiller spent nearly \$250,000 in one election cycle in 2002 to try to influence Kansas politics, and to ask for campaign reporting reforms in their commentary.

EARL F. GLYNN
Overland Park

FRIDAY
DECEMBER 31, 2004

SENATE BILL No. 17

By Senator Hensley

1-10

9 AN ACT concerning open meetings; amending K.S.A. 2004 Supp. 75-
10 4318 and repealing the existing section.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2004 Supp. 75-4318 is hereby amended to read as
14 follows: 75-4318. (a) Subject to the provisions of subsection (f), all meet-
15 ings for the conduct of the affairs of, and the transaction of business by,
16 all legislative and administrative bodies and agencies of the state and
17 political and taxing subdivisions thereof, including boards, commissions,
18 authorities, councils, committees, subcommittees and other subordinate
19 groups thereof, receiving or expending and supported in whole or in part
20 by public funds shall be open to the public and no binding action by such
21 bodies shall be by secret ballot. Meetings of task forces, advisory com-
22 mittees or subcommittees of advisory committees created pursuant to a
23 governor's executive order shall be open to the public in accordance with
24 this act. |

25 (b) Notice of the date, time and place of any regular or special meet-
26 ing of a public body designated hereinabove shall be furnished to any
27 person requesting such notice, except that:

28 (1) If notice is requested by petition, the petition shall designate one
29 person to receive notice on behalf of all persons named in the petition,
30 and notice to such person shall constitute notice to all persons named in
31 the petition;

32 (2) if notice is furnished to an executive officer of an employees' or-
33 ganization or trade association, such notice shall be deemed to have been
34 furnished to the entire membership of such organization or association;
35 and

36 (3) the public body may require that a request to receive notice must
37 be submitted again to the body prior to the commencement of any sub-
38 sequent fiscal year of the body during which the person wishes to continue
39 receiving notice, but, prior to discontinuing notice to any person, the
40 public body must notify the person that notice will be discontinued unless
41 the person resubmits a request to receive notice.

42 (c) It shall be the duty of the presiding officer or other person calling
43 a meeting, if the meeting is not called by the presiding officer, to furnish

(1)

(2) Meetings of task forces, advisory committees or subcommittees of advisory committees created by an incoming governor shall be open to the public in accordance with this act. For the purposes of this paragraph, "incoming governor" shall have the meaning ascribed to it in K.S.A. 75-132, and amendments thereto.

(3) Meetings of a board of county commissioners or any task forces, advisory committees or subcommittees of advisory committees created by a board of county commissioners shall be open to the public in accordance with this act. For the purposes of this paragraph, "board of county commissioners" shall have the meaning ascribed to it in K.S.A. 19-202, and amendments thereto, except that the term "county commissioner" shall include any person who is the apparent successful candidate for the office of county commissioner, as ascertained by the secretary of state following the general election for such office. The secretary of state shall make such determination on the day next following such election or as soon thereafter as such fact can be ascertained.

(4) Meetings of the members of the governing body of a city or any task forces, advisory committees or subcommittees of advisory committees created by the members of the governing body of such city shall be open to the public in accordance with this act. For the purposes of this paragraph, "member of the governing body of a city" shall include any person who is the apparent successful candidate for such elected city office as provided by law, as ascertained by the secretary of state following the general election for such office. The secretary of state shall make such determination on the day next following such election or as soon thereafter as such fact can be ascertained.

(5) Meetings of the members of the board of education of a unified school district or any task forces, advisory committees or subcommittees of advisory committees created by the members of the governing body of such board of education of a unified school district shall be open to the public in accordance with this act. For the purposes of this paragraph, "member of the board of education of a unified school district" shall include any person who is the apparent successful candidate for such elected position on the unified school district as provided by law, as ascertained by the secretary of state following the general election for such office. The secretary of state shall make such determination on the day next following such election or as soon thereafter as such fact can be ascertained.

Senate Federal & State Affairs
Committee
2-08-05
Attachment 3

1 the notice required by subsection (b).

2 (d) Prior to any meeting hereinabove mentioned, any agenda relating
3 to the business to be transacted at such meeting shall be made available
4 to any person requesting said agenda.

5 (e) The use of cameras, photographic lights and recording devices
6 shall not be prohibited at any meeting mentioned by subsection (a), but
7 such use shall be subject to reasonable rules designed to insure the or-
8 derly conduct of the proceedings at such meeting.

9 (f) The provisions of the open meetings law shall not apply:

10 (1) To any administrative body that is authorized by law to exercise
11 quasi-judicial functions when such body is deliberating matters relating
12 to a decision involving such quasi-judicial functions;

13 (2) to the parole board when conducting parole hearings or parole
14 violation hearings held at a correctional institution;

15 (3) to any impeachment inquiry or other impeachment matter re-
16 ferred to any committee of the house of representatives prior to the report
17 of such committee to the full house of representatives; and

18 (4) if otherwise provided by state or federal law or by rules of the
19 Kansas senate or house of representatives *except that meetings of political*
20 *party caucuses of the Kansas senate or house of representatives shall be*
21 *open meetings and meetings of the senate committee on organization,*
22 *calendar and rules, or any successor committee to the senate committee*
23 *on organization, calendar and rules, shall be open meetings.*

24 Sec. 2. K.S.A. 2004 Supp. 75-4318 is hereby repealed.

25 Sec. 3. This act shall take effect and be in force from and after its
26 publication in the statute book.

3-2

February 1, 2005

The Honorable Pete Brungardt, Chairperson
Senate Committee on Federal and State Affairs
Statehouse, Room 143-N
Topeka, Kansas 66612

Dear Senator Brungardt:

SUBJECT: Fiscal Note for SB 47 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 47 is respectfully submitted to your committee.

SB 47 would eliminate the requirement that the Department of Corrections provide a copy of the inmate behavior rules and regulation publication to each inmate.

According to the Department, this publication would be placed in common areas, such as the inmate library. As a result, fewer publications would have to be printed. However, the expenditure savings would be negligible.

Sincerely,

Duane A. Goossen
Director of the Budget

cc: Jeremy Barclay, Dept. of Corrections

Senate Federal & State Affairs
Committee

2-08-05
Attachment 4

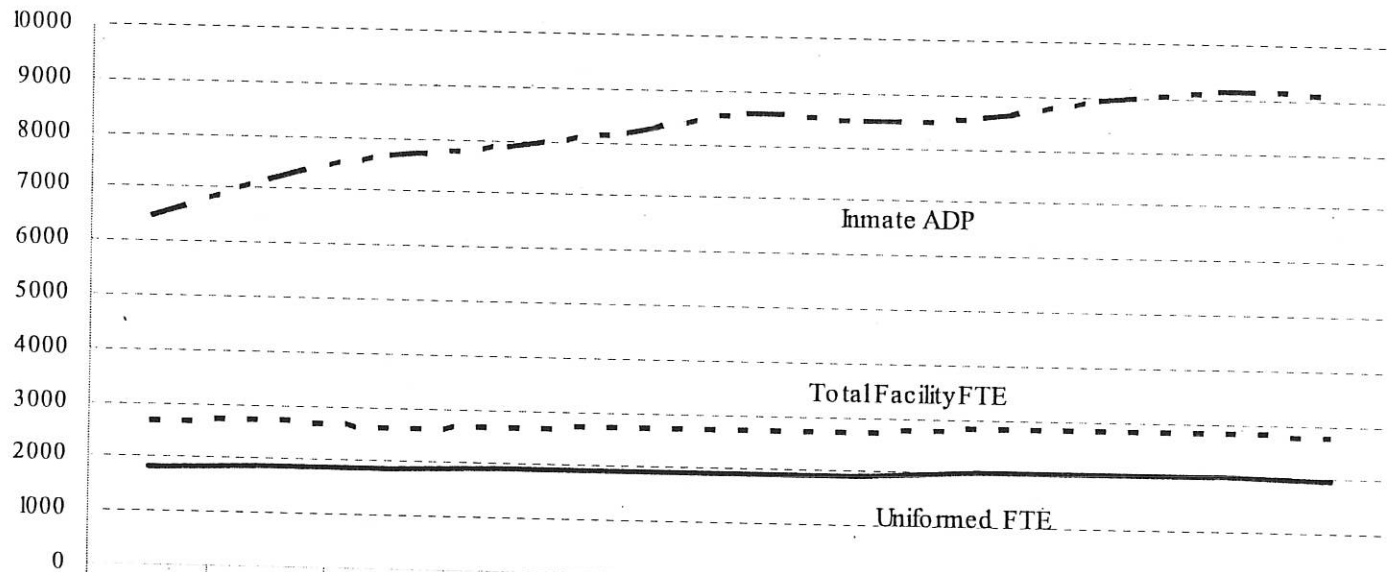
Senate Federal & State Affairs
Committee
Feb. 8, 2005

Roger Werholtz, Secretary
Kansas Department of Corrections

Facility Staff Levels Compared To Inmate Population

5-2

Facility Staffing vs. Inmate Average Daily Population



	95	96	97	98	99	00	01	02	03	04	05
- - - Facility FTE	2691	2733	2642	2699	2728	2733	2744	2814	2814	2813	2803
— Uniformed FTE	1820	1857	1881	1917	1939	1937	1935	1998	2001	2000	1990
- - - Inmate ADP	6441	7158	7656	7902	8190	8604	8480	8563	8917	9126	9091

Inmate ADP includes KDOC facility and non-KDOC facility placements. Fractional FTE have been rounded. Beginning in FY 04, the FTE breakdown counts majors as uniformed staff. In prior years, some facilities may have counted majors as non-uniformed.

Corrections Staff

5-3

KDOC Authorized Staffing FY 2005			
Location	Total FTE	Uniformed	Non-Uniformed
<i>Facilities</i>			
El Dorado	466.0	352.0	114.0
Ellsworth	223.0	147.0	76.0
Hutchinson	513.0	353.0	160.0
Lansing	700.0	525.0	175.0
Larned	186.0	133.0	53.0
Norton	266.0	190.0	76.0
Topeka	248.0	159.0	89.0
Winfield	201.0	131.0	70.0
Subtotal-Facilities	2803.0	1990.0	813.0
<i>Parole Services</i>	151.5		151.5
<i>Correctional Industries</i>	61.0		61.0
<i>Central Office</i>	94.7		94.7
Total	3110.2	1990.0	1120.2
<i>% of Total</i>		64.0%	36.0%

Kansas Corrections Staff Salary Comparisons - Fall 2004

Corrections Officer I's or Equivalent Positions

State DOCs	Minimum	Mid-Point	Maximum
Colorado	\$ 34,524	\$ 42,283	\$ 48,312
Iowa	31,675	38,295	44,033
Nebraska	25,078	29,427	33,114
Missouri			
Missouri	22,480	26,871	30,204
Oklahoma	21,804	29,196	30,244
<i>Average</i>	\$ 26,532	\$ 32,223	\$ 35,987
<i>Median</i>	\$ 24,354	\$ 29,312	\$ 31,679
<i>KDOC Rank (of 6)</i>	<i>4th</i>	<i>4th</i>	<i>6th</i>

Other Agencies in KS	Minimum	Mid-Point	Maximum
SG Co. Sheriff (Ptrl Ofr)	\$ 36,400	\$ 44,886	\$ 53,331
Corr. Corp. of America	35,963	N/A	N/A
Johnson Co. (CO)	35,859	43,867	50,856
US Penitentiary	33,924	N/A	N/A
City of Olathe (Pol Ofr)	33,750	41,062	46,188
Sedgwick Co. (CO)	31,512	38,854	46,197
RL Co. Sheriff (Ptrl Ofr)	28,912	36,712	44,512
City of Atchison (Pol Ofr)	26,104	30,431	34,778
Reno Co. Sheriff (Ptrl Ofr)	25,958	31,325	36,670
Atchison Co. (Dep)	25,750	26,957	28,163
Wyandotte Co. (CO)	25,719	N/A	N/A
Riley Co. Jail (CO)	25,709	30,118	34,507
Reno Co. (CO)	23,982	28,933	33,883
US Army Pvt. E1			
US Army Pvt. E1	13,248	N/A	N/A
<i>Average</i>	\$ 28,428	\$ 34,583	\$ 39,999
<i>Median</i>	\$ 26,104	\$ 31,325	\$ 36,670
<i>KDOC Rank</i>	<i>14th of 15</i>	<i>11th of 11</i>	<i>11th of 11</i>

Kansas Corrections Staff Salary Comparisons - Fall 2004

Corrections Specialist I's (Sergeants) or Equivalent Positions

State DOCs	Minimum	Mid-Point	Maximum
Nebraska	29,957	34,307	38,656
Oklahoma	25,249	29,494	33,268
Missouri	24,082	29,262	34,441
Iowa	N/A	N/A	N/A
Colorado	N/A	N/A	N/A
<i>Average</i>	\$ 27,357	\$ 31,955	\$ 36,435
<i>Median</i>	\$ 27,603	\$ 31,901	\$ 36,549
<i>KDOC Rank (of 4)</i>	<i>1st</i>	<i>1st</i>	<i>1st</i>

Note: Fall 2003 survey figures are used for Wyandotte Co. in the Corrections Specialist I comparison.

Other Agencies in KS	Minimum	Mid-Point	Maximum
City of Olathe (Pol Sgt)	\$ 62,846	\$ 65,360	\$ 67,974
Johnson Co. (Shft Sgt)	55,411	62,379	72,301
Wyandotte Co. (Pol Sgt)*	55,004	56,379	57,512
Sedg. Co. Sheriff (Sgt)	45,240	55,702	66,144
Riley Co Sheriff (Pol Sgt)	44,512	47,632	50,752
Sedgwick Co. (CO)	42,078	51,834	61,568
US Penitentiary	39,293	44,206	50,346
City of Atchison (Pol Sgt)	36,088	42,182	48,256
Riley Co. Jail	32,531	38,106	43,680
Reno Co. Jail (Sgt)	30,410	36,691	42,952
Reno Co. Sheriff (Ptrl Sgt)	30,410	36,691	42,952
Atchison Co. (Jail Sgt)	24,003	N/A	25,085
US Army Sgt. E5	23,993	26,204	28,415
<i>Average</i>	\$39,426	\$46,009	\$49,808
<i>Median</i>	\$37,691	\$44,206	\$49,301
<i>KDOC Rank</i>	<i>12th of 14</i>	<i>12th of 13</i>	<i>12th of 14</i>

Kansas Corrections Staff Salary Comparisons - Fall 2004

Corrections Counselor I's

State DOCs	Minimum	Mid-Point	Maximum
Colorado	\$41,940	\$51,389	\$60,828
Iowa	31,357	39,790	48,224
Missouri	28,405	34,838	41,272
Nebraska	28,239	33,448	38,656
Oklahoma	26,221	29,474	36,843
<i>Average</i>	<i>\$31,050</i>	<i>\$37,283</i>	<i>\$44,200</i>
<i>Median</i>	<i>\$29,272</i>	<i>\$34,798</i>	<i>\$40,323</i>
<i>KDOC Rank (of 6)</i>	<i>3rd</i>	<i>4th</i>	<i>4th</i>

5-5

Staff injured in the line of duty—FY 04

Facility	Number of incidents	Incidents resulting in missed work
HCF	28	1
LCMHF	13	5
ECF	7	1
TCF	2	1
WCF	2	0
LCF	18	8
EDCF	34	Not available
NCF	12	5