

MINUTES OF THE HOUSE UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on January 25, 2006 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Kansas Legislative Research  
Dennis Hodgins, Kansas Legislative Research  
Mary Torrence, Revisor's Office  
Rena Hansen, Committee Secretary

Conferees appearing before the committee:

Hal Gardner, State Board of Regents, KAN-ED  
Louie Bruce, Warden  
Heather Morgon, Juvenile Justice Authority  
Judge Joseph Perrone, KS Court of Appeals  
Carol Woolbright, Greenbush  
Chris Tilden, KDHE

Others attending:

See attached list.

Representative Tom Hawk moved to have the committee introduce a bill for the development of cellulistic alcohol. Seconded by Virginia Beemer. Motion Passed.

Hal Gardner, State Board of Regents, KAN-ED, presented two documents of testimony on KAN-ED. The first document included: A Study of Private Data Networks in Kansas and Joint Recommendations Regarding Kansas Private Networks. The second document was the KAN-ED Annual Report 2005. Both documents can be found at the State Board of Regents in the KAN-ED Department.

Questions were asked by Representatives: Carl Holmes, Margaret Long, and Judy Morrison.

Hearing on:

**HB 2656**      **Criminal justice agency distance learning on KAN-ED.**

Louie Bruce, Warden, Hutchinson Correctional Facility, (Attachment 1), presented testimony on how the Kansas Department of Corrections could benefit highly from attaching itself to the KAN-ED system. They would greatly cut costs and also add many services to both their inmates and staff.

Heather Morgon, Juvenile Justice Authority, (Attachment 2), presented testimony on how and why the Juvenile Justice Authority would benefit from tapping into the KAN-ED system.

Judge Joseph Perrone, KS Court of Appeals, (Attachment 3), presented testimony in support of using the KAN-ED system in the Judicial Branch.

Carol Woolbright, Greenbush, (Attachment 4), offered testimony in support of **HB 2656**.

Chris Tilden, KDHE, (Attachment 5), spoke to the committee on The Kansas Department of Health & Environment their support of **HB 2656**.

CONTINUATION SHEET

MINUTES OF THE House Utilities Committee at 9:00 A.M. on January 25, 2006 in Room 231-N of the Capitol.

Written Proponents:

Roger Werholtz, Secretary of Corrections, (Attachment 6), presented written testimony in favor of HB 2656 stating how the department of corrections would benefit from this legislation passing.

Denise Moore, Department of Administration, (Attachment 7), offered written testimony in favor of HB 2656 and how KAN-ED could be beneficial to the Division of Information Systems & Communications.

No opponents to the bill appeared before the committee.

Questions and comments were offered by Representatives: Peggy Mast, Tom Sloan, Melody Miller, Rob Olson, Josh Svaty, Karl Krehbiel, Oletha Faust-Goudeau, Tom Knox, Lynne Oharah, Mitch Holmes, and Judy Morrison.

The hearing on **HB 2656** was closed.

The next meeting is scheduled for January 26, 2006.

Meeting Adjourned.

# HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 25, 2006

NAME	REPRESENTING
Tim Madden	KDOC
Roger Haden	KDOC
Louis Bruce	KDOC
William Deer	Federico Consulting
Larry Gyritz	SE K Ed Serv Ctr
Carol Woolbright	Southeast Kansas Educ Service Ctr
Lana Walsh	Office of Judicial Admin.
Heather Morgan	JJA
Georgia Conrad	KBIA
Eileen Richtenberger	KBOR
Charmine Chambers	KBOR
JERRY HUFF	KBOR
Jan Middendorf	OEIE/KSU
Jamie Murdock	OEIE/KSU
HOWARD SMITH	PITTSBURG STATE
Denise Moore	DISC CITO
Randy Perkins	AT&T
David Tripany	DISC
CURT BUFFINGTON	KanREN
DOUG HEACOCK	KanREN

# HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 25, 2006

NAME	REPRESENTING
Tim Haug	ATT
Chris Tilden	KDHE
Tracy Olson	REP Olson
Bill Now	KDOC
Fred Luckey	Kansas Hosp Assn
Carol McDowell	Tallgrass Ranchers
Dick Cator	Results Technolo Group
Nolan Rieck	Garbus Blacken

# KANSAS

KANSAS DEPARTMENT OF CORRECTIONS  
ROGER WERHOLTZ, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

Testimony on HB 2656  
to  
The House Utilities Committee

By Louis Bruce  
Warden, Hutchinson Correctional Facility  
Kansas Department of Corrections

January 25, 2006

As you are aware, the lean budget years we have recently experienced have cut deeply into the fine programs that had been made available to Kansas inmates in the past. These programs were intended to assist inmates in improving their potential for success upon their eventual return to society. Clearly we all have a stake in this success as it reduces the likelihood that these individuals will victimize others and return to prison. By reducing victimization, not only is the quality of life in Kansas improved for its' citizens, but also fewer inmates in the system will ultimately free up resources for more positive uses than the incarceration of offenders.

Recently House Bill 2656 was introduced, which if passed by the Legislature and signed by Governor Sebelius, would provide the KDOC with access to the KAN ED Network. On behalf of Secretary Werholtz, the KDOC, and myself, I am asking that you lend your support to the passage of this bill. It is my belief that providing the KDOC access to the KAN ED network will provide a very cost effect means by which we can restore a great deal of what has been lost in the way of inmate programs. Since my appointment as Warden of HCF, we have established our own closed circuit television system through which we are able to reach large numbers of inmates in their living areas. Although we have provided some programming through this method, we have the potential of doing much more. Accessing the KAN ED network will greatly speed the process of increasing the available educational and vocational programming by eliminating the need for us to "reinvent the wheel", so to speak.

Making available English as a Second Language course to our increasing Hispanic inmate population is just one example of the tremendous potential this access presents. These inmates have such a limited opportunity for success without language skills and at least a high school education and KAN ED would enable us to give these individuals training that would otherwise not be possible.

In addition to assisting in the educating of inmates, there are collateral benefits that should not be overlooked or underestimated. Access to the KAN ED network would enable staff to receive

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training from across the nation that would otherwise be unavailable to them. In these times of tight budgets, funds for travel to such training is essentially unavailable. In those cases in which specific training is absolutely mandatory, the expense necessarily takes limited funds from other uses.

It is routinely necessary for us to transport inmates to court appearances and medical appointments. Not only is there a cost involved in these transports, but there is an increased risk to public safety every time it is necessary to take a high security inmate out of the secure confines of our facilities. Access to the KAN ED Network may enable us to dramatically reduce these trips by allowing court hearings and medical specialists' diagnosis's to occur without the inmate ever having to leave the grounds. This will be especially advantageous to correctional facilities located in rural areas such as Norton for example.

Finally, because communication is so vital to the ongoing operation of any Department, key personnel are frequently required to attend meetings away from their work sites. This inevitably results in subsistence expenses and travel time that could be spent in a more useful and productive manner. While access to the KAN ED network would not entirely eliminate these costs and inconveniences, I am of the belief that they would be reduced.

It is my hope that I have assisted you in seeing the advantages to the KDOC of the KAN ED network. I cannot stress enough the potential opportunities this network provides us to improve our service to the citizens of Kansas. I again ask that you lend your support and affirmative vote to House Bill 2656. As always, I am available to answer any of your questions.

# Juvenile Justice Authority

House Utilities Committee  
HB 2656, KAN-ED  
January 25, 2006



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## Testimony HB 2656

The Juvenile Justice Authority is pleased to testify today in support of HB 2656. This bill would allow the Juvenile Justice Authority and its juvenile correctional facilities to access the KAN-ED network.

This access will allow the state juvenile correctional facilities to provide enhanced educational services to the youth in their care. Accessing KAN-ED will allow the juvenile correctional facilities to efficiently share specialized and advanced educational opportunities across the juvenile correctional facility system. Access to these opportunities will aid in our youth's rehabilitation and equip them with the quality education they need to be productive citizens.

Access to the KAN-ED network will also assist our facilities in enhanced case planning and will reduce the "windshield time" and costs associated with staff coming to Topeka for training. The passage of HB 2656 would allow staff training to be provided through the network without requiring staff to leave their facility.

For these reasons the Juvenile Justice Authority encourages the passage of HB 2656. I would be happy to stand for questions.





State of Kansas

Office of Judicial Administration

Kansas Judicial Center  
301 SW 10<sup>th</sup>  
Topeka, Kansas 66612-1507

(785) 296-2256

House Utilities Committee

Wednesday, January 25, 2006

Statement in Support of 2006 HB 2656

Judge G. Joseph Pierron, Jr.  
Kansas Court of Appeals

The Kansas Judicial Branch appreciates the amendment to K.S.A. 2005 Supp. 75-7222 that is included in 2006 HB 2656. By adding "criminal justice agencies" to the list of those entities that may benefit from the services of the KAN ED network, and by including the state courts within that definition, the Kansas Judicial Branch will be given the opportunity to participate with other entities in quality, affordable, distance learning and other services offered by the network.

Thank you very much for the opportunity to appear on this bill, and I would be happy to offer any additional information that might be helpful to you.

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## Testimony before House Utilities on HB 2656

January 25, 2006

Mr. Chairman, Members of the Committee, and staff. I come before you in support of HB 2656, an amendment to the Kan-Ed statute.

My name is Carol Woolbright. I am the Director of the Greenbush Interactive Distance Learning Network at the Southeast Kansas Education Service Center, Girard. I also represent the Kansas Association for Interactive Distance Education (KAIDE) and the Kansas Distance Learning Consortium (KDLC). These groups promote and support distance learning in Kansas.

The Greenbush Interactive Distance Learning Network serves 55 school districts, universities, and community colleges in 103 sites in the eastern half of the state. We are one of 10 distance learning consortiums in Kansas. As an active member and user of Kan-Ed services, we support 83 daily high school and college classes serving about 1600 students. In addition, we provide enrichment programs aligned to Kansas Education Standards from our unique distance learning facilities including a simulated Rainforest, an Archaeology Dig, a Science Education Center, and an Astrophysical Observatory. We also provide staff development in compliance with *No Child Left Behind* and continuing education programs. Between September 20 and December 20, 2005, our network provided distance learning programs to 20,167 students, teachers, administrators, and other groups. These programs would not be possible without Kan-Ed. Without the support of this committee, Kan-Ed would not have become law in 2001 and would not have been funded the following year, 2002. I want you to know that my agency and the schools I represent use this statewide network daily. Distance learning has operated regionally in this state since 1989, and between 1989 and 2002, we were never able to establish a statewide equal access technology backbone until Kan-Ed was passed and funded. Our children's educational opportunities are richer and more complete because of this valuable statewide resource. We are increasing usage every year. Kan-Ed is the vehicle that allows us to teach Kansans, not only course content, but also how to learn using interactive technologies. This is the future—one more key to success in the 21<sup>st</sup> Century.

In December of 2005, the Rural Utilities Service notified Greenbush that we have been awarded a grant in the amount of \$499,920 for distance learning. Thirty-one districts in the eastern half of Kansas will share in the funding by receiving new distance learning classrooms or upgrades to existing classrooms. The awarding of such a large grant to Kansas schools is partially due to the fact that Kansas has a statewide backbone capable of supporting the project.

Currently, Kan-Ed serves four constituencies: higher education, K-12, libraries, and hospitals. The vision and potential of a statewide technology backbone is more far-reaching than the four user groups listed in the Kan-Ed statute. A statewide backbone has the potential of redefining how the citizens of this state interact and learn. As the news headlines have pointed out in recent weeks, the United States no longer leads the world in

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Information Technologies. Yet, we probably all know that future successes will depend on the best and most effective management of information. The vision of the future of any state must include a strong IT focus if economic development and financial success for its citizens are important. It is important to Kansans. We must always look to the future and constantly re-evaluate limitations. One limitation is the restricting of eligible users of the Kan-Ed network. I strongly urge you to expand eligible users to promote learning for additional groups. To this end, I ask you to support HB 2656 because it offers possibilities to a sector that too often does not consistently receive the opportunities that are needed for success and rehabilitation. These groups are the criminal justice agencies: the Department of Corrections, the Juvenile Justice Authority, and, of course, the courts. HB 2656 is an amendment to the Kan-Ed statute that will allow these agencies to access, to share, and to operate video-based distance learning and other educational and instructional programs over Kan-Ed.

Why should the criminal justice agencies in Kansas operate a distance learning system over the Kan-Ed backbone? There are many important reasons: Kan-Ed has operated successfully with almost no downtime or outages due to the backbone bandwidth or backbone routers since 2002. It was established as a low latency, high speed, high bandwidth video network. The pre-planning that went into the technology design has contributed significantly to the success of the network. In addition, Kan-Ed has a tried and true event scheduling system that ensures events come up on time and go down on time. When there are dozens of simultaneous events on a network, a quality scheduling system is critical. No large distance learning network works well without sophisticated scheduling software. Other networks in Kansas were not designed primarily with video distribution in mind, but instead were designed as data networks. Video networks are quite different from data networks. Finally, the Kan-Ed network has 24 hour technology support 7 days per week, so users can always expect to find sophisticated technology support readily available.

The ability of the Kan-Ed technology team to establish secure connections for user groups and at the same time, operate over the same statewide backbone is critical to this project. The Kan-Ed technical team can guarantee security within the criminal justice group by creating a private virtual network for criminal justice agencies that operates within the Kan-Ed backbone, but does not allow connectivity between the different Kan-Ed constituencies. For example, Kan-Ed can ensure that a class of students will never be able to connect to a classroom used by the criminal justice groups because interoperability between current users and the criminal justice agencies will not be technically possible. Adding criminal justice agencies on their own virtual network will not negatively impact current Kan-Ed users. The user groups will function simultaneously but separately within the Kan-Ed backbone.

Kan-Ed does not function as an Internet I service provider. Indeed, all Internet I services, including email, are provided by other service providers. The criminal justice agencies will continue to receive Internet I service from the provider of their choice. The criminal justice information system will not be impacted by this amendment since this project is a video project.

Over the past eight years, the Department of Corrections has explored the possibility of using distance learning technology to provide more efficient educational and training programs. They have visited with Greenbush many times to look at distance learning. Greenbush is an educational partner of the Department of Corrections. If HB 2656 is passed and this project becomes a reality, Greenbush stands by to support the implementation of distance learning in the state's criminal justice agencies.

Thank you for your past support of Kan-Ed. It has made a difference in the delivery of education in our state.



# K A N S A S

RODERICK L. BREMBY, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

DEPARTMENT OF HEALTH AND ENVIRONMENT

Testimony on House Bill 2656

To

House Utilities Committee

By Chris Tilden  
Director, Office of Local and Rural Health

Kansas Department of Health and Environment

January 24, 2006

Chairperson Holmes and members of the Committee, I am pleased to appear before you today to provide comments on House Bill 2656. The Kansas Department of Health & Environment (KDHE) supports the central intention of this bill, to expand access to the broadband technology-based network created by KAN-ED beyond schools, libraries, and hospitals, to include criminal justice agencies. KAN-ED allows entities to connect to the KAN-ED network for broadband internet access and intranet access for distance learning.

The Kansas Department of Health and Environment has had a long-standing interest in development of the KAN-ED network, insofar as the use of broadband technology is important to healthcare providers, such as hospitals, in the state of Kansas. Broadband technology is critical to the success of Kansas' growing telemedicine networks, and to ensuring access to distance education. Particularly among the state's rural hospitals, access to distance education is of great importance.

KDHE not only regulates, but also provides funding, technical assistance and education to hospitals and other healthcare providers across the state. KDHE offers a wide variety of education and training, through a variety of programs in areas such as emergency preparedness, trauma, network development, and quality improvement, which is available to every hospital in the state. KDHE has the technical capacity to deliver these programs through interactive television and other electronic media.

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KDHE would be able to provide much of its educational content to health care providers such as hospitals, correctional facilities, and school nurses over broadband if KDHE was to be included in this legislation and was subsequently connected to the KAN-ED network. The Center for Public Health Preparedness could, for example, provide training courses on topics like pandemic influenza planning, use of personal protective equipment, and patient decontamination. The Office of Local and Rural Health could educate Critical Access Hospitals on regulatory changes in the federal program and offer programs on quality and performance via distance learning.

Many small, remote hospitals that cannot afford the staff time or travel expense to participate in such programs would now be able to allow all of their staff that would benefit from these trainings the opportunity to participate.

As such, we request that HB 2656 be amended to include not only criminal justice agencies but also the Kansas Department of Health and Environment.

Thank you for this opportunity to testify on this bill. I would be happy to answer questions.

# KANSAS

KANSAS DEPARTMENT OF CORRECTIONS  
ROGER WERHOLTZ, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

Testimony on HB 2656  
to  
The House Utilities Committee

By Roger Werholtz  
Secretary  
Kansas Department of Corrections

January 25, 2006

The Department of Corrections supports passage of HB 2656. HB 2656 amends the KAN-ED Act to permit participation in the KAN-ED broadband video network by the Department of Corrections, Juvenile Justice Authority, state courts and their medical and educational providers. The KAN-ED network is operated by the State Board of Regents. Under current law, participation is limited to hospitals, libraries and schools.

The KAN-ED network provides internet and intranet video capabilities for distance learning and medical services throughout the state. The KAN-ED network is well suited to providing distance learning opportunities and medical services to the department's correctional facilities located in 11 communities as well as its numerous parole offices throughout the state.

The mission of the department requires that it provide substantial training to its staff. Additionally, the department in its rehabilitation efforts provides vocational and GED educational programs to inmates. The department is also required to meet the medical needs of offenders in its custody. The department's provision of medical and educational programming can be enhanced by the same technology already available to hospitals and schools through the KAN-ED network. Finally, internet video capabilities between the courts and correctional facilities would reduce the costs and risks associated with the transportation of inmates for hearings.

The communication opportunities offered by the KAN-ED network would assist the department in providing long distance training developed either by the department or nationally to staff without the cost of travel. Likewise, inmate or parolee educational programming would be available irrespective of the inmate or parolee's location. The benefit of the network in providing medical communication services to hospital participants equally applies to inmates with the additional benefits of reducing cost and security concerns raised whenever an inmate is taken out of a facility. The video capabilities of the KAN-ED network would also aid in obtaining from KDOC contract medical providers at one correctional facility consultations regarding inmates confined at another location. The participation by courts in the network for court hearings involving inmates also reduces the transportation costs and security issues associated with the transfer of prisoners.

The Department urges favorable consideration of HB 2656.

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KATHLEEN SEBELIUS, GOVERNOR

DIVISION OF INFORMATION SYSTEMS AND COMMUNICATIONS  
DENISE MOORE, DIRECTOR

Written Testimony on HB2656  
To The House Utilities Committee  
By Denise Moore  
Director, Division of Information Systems & Communications

The Division of Information Systems and Communications (DISC) supports the concept of providing cost effective video conferencing and distance learning to state prison facilities. DISC suggests needs such as this are addressed through the recommendations outlined in the report prepared in response to HB2026 and presented to this Committee today.

HB2026 legislation directed the Secretary of Administration and the Kansas Board of Regents to study the reduction of duplications among the KANWIN, Kan-ed, and KanREN networks. This study recommends unified planning to determine whether a single network infrastructure is, or can be, cost effective. The report finds:

*"Consolidation of infrastructure elements could increase efficiency and potentially reduce costs. Study participants agree the systematic, staged integration of existing networks into one shared core network could provide improved cost-benefit performance.*

*Consolidation will require continued collaborative planning and increased operational integration while preserving the unique interactions, agreements and service level expectations developed for each of the existing networks. At present, each network organization has separate plans underway for growth and performance enhancements. Coordinating these activities could optimize benefits and allow sharing of expense. Other potential benefits to consolidation include uniform availability of services, increased service capability, increased stability and reliability and the leveraging of expertise and manpower of the network organizations."*

The HB2026 report identified significant operational differences between the KANWIN and Kan-ed networks. Simply extending Kan-ed to Corrections facilities without sufficient planning could have unintended consequences. As noted in the report:

*"KANWIN is designed for high resiliency and availability even in the event of the loss of a core network component. Such resiliency is required by certain agency applications like access to bill tracking services during the legislative session, access to the Secretary of State's Electronic Voter Information System during elections and law enforcement's requirements to access CJIS information at all times."*

The HB2026 study also found that funding is a significant and differentiating factor between the two networks. KANWIN is funded through fee-for-service. This method imposes very stringent accounting and reporting requirements to meet federal guidelines. Kan-ed is funded by the Kansas Universal Service Fund which subsidizes the cost of the network. One of the goals of HB2026 is to reduce the dependency on KUSF and to leverage all sources of funding for the benefit of all the users of the state networks.

While HB2656 presents an independent solution for criminal justice agencies rather than unified network planning for the state, DISC supports the end result of HB2656 and recommends that the changes proposed in HB2656 be considered as part of the study outlined in the HB2026 report.

Thank you.

HOUSE UTILITIES

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