

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 10:30 a.m. on February 9, 2010, in Room 548-S of the Capitol.

All members were present except:

Senator Ruth Teichman- excused

Committee staff present:

J. G. Scott, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Dylan Dear, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Jarod Waltner, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Melinda Gaul, Chief of Staff
Shirley Jepson, Committee Assistant
James Fisher, Intern

Conferees appearing before the Committee:

Roger Werholtz, Secretary, Department of Corrections

Others attending:

See attached list.

Introduction of Proposed Legislation

Senator Abrams appeared before the Committee to request the introduce of legislation concerning the school finance formula, repealing a number of current statutes.

Senator Vratil moved to introduce legislation concerning school finance formula as requested (9rs1507). The motion was seconded by Senator Masterson. Motion carried on a voice vote.

Subcommittee recommendations on Juvenile Justice Authority and Juvenile Correctional Facilities

Senator Schmidt, Chair of the Subcommittee on Public Safety Subcommittee, presented the Subcommittee report on the Governor's budget recommendations for the Juvenile Justice Authority (JJA), Kansas Juvenile Correctional Complex and Larned Correctional Facility for FY 2011 and moved for the adoption of the Subcommittee recommendation on the Juvenile Justice Authority, Kansas Juvenile Correctional Facility and Larned Correctional Facility for FY 2011 (Attachment 1). The motion was seconded by Senator Masterson. Motion carried on a voice vote.

The Subcommittee directed the Committee's attention to commendations received by Commissioner Russell Jennings for exceptional work to ensure the juvenile facilities are safe for youth and staff, holding youth accountable and providing effective rehabilitation services that prevent future crimes. In addition, the Commissioner also has been commended for his extraordinary leadership of the Council of Juvenile Correctional Administrators and their commitment to improving the lives of youths.

Subcommittee recommendations on Department of Corrections and Adult Correctional Facilities

Senator Taddiken, Chair of the Corrections Subcommittee, presented the Subcommittee report on the Governor's budget recommendations for the Department of Corrections, El Dorado Correctional Facility, Ellsworth Correctional Facility, Hutchinson Correctional Facility, Lansing Correctional Facility, Larned Correctional Mental Health Facility, Norton Correctional Facility, Topeka Correctional Facility and Winfield Correctional Facility for FY 2011 and moved for the adoption of the Subcommittee recommendation on the Department of Corrections, El Dorado Correctional Facility, Ellsworth Correctional Facility, Hutchinson Correctional Facility, Lansing Correctional Facility, Larned Correctional Mental Health Facility, Norton Correctional Facility, Topeka Correctional Facility and Winfield Correctional Facility for FY 2011

CONTINUATION SHEET

Minutes of the Senate Ways and Means Committee at 10:30 a.m. on February 9, 2010, in Room 548-S of the Capitol.

(Attachment 2). The motion was seconded by Senator Schmidt. Motion carried on a voice vote

The Subcommittee noted that if the Winfield Correctional Facility is closed, it will cost the Veterans Administration an additional \$1.8 million annually to cover the cost of maintenance services that are currently being provided by inmates at the Winfield Correctional Facility.

Responding to a question from the Committee concerning projects that will need attention over the coming fiscal years, the Subcommittee explained that the needs of inmates who are severely mentally ill and behaviorally disordered are currently being addressed by the Department of Corrections (DOC) or the Department of Social and Rehabilitation Services (SRS). Those in DOC's custody are usually housed at Larned Correctional Mental Health Facility. The Subcommittee noted that these are severely mentally ill inmates and require specific attention and medical services. Roger Werholtz, Secretary, Department of Corrections, stated that many of these individuals have multiple diagnoses beyond what can be handled at Larned. The construction of a new facility in Topeka for these particular inmates would provide a more suitable facility and provide for medical services. The Secretary noted that the number of these particular inmates has increased and intensified over the last few years.

The Subcommittee noted that **HB 2433**, would exempt state educational institutions from the provisions of the state purchasing law and have an affect on purchases from the correctional industries. The Committee requested information on the status of **HB 2433**.

Action on SB 387 - Claims against the state; appropriations.

Dylan Dear, Legislative Research Department, provided a brief explanation of **SB 387**.

Senator Masterson moved to amend SB 387 by adding a payment for professional fees to Eldon Ray. The motion was seconded by Senator Taddiken. Motion failed on a voice vote.

Senator Vratil moved to amend SB 387 on Page 7, Line 33, to read "effective upon publication in the statute book". The motion was seconded by Senator Kelly. Motion withdrawn.

Senator Schmidt made a substitute motion to include the payment of funds to counties who did not receive their full amount of refunds from the distribution of Motor Fuel Tax refunds from the Special City/County Highway Fund related to the use of the incorrect base year in the fuel tax refund formula for fiscal years 2000-2005. The motion was seconded by Senator Kelly. Motion withdrawn.

The Committee agreed to request the Office of the Revisor of Statutes to draft a bill to give the State Treasurer the authority to adjust the formula used in the distribution of Motor Fuel Tax refunds in order to correct underpayments or overpayments made to the counties and distribute the underpayments or overpayments over a specific period of time.

Senator Vratil moved to recommend SB 387 favorably for passage. The motion was seconded by Senator Lee. Motion carried on a roll call vote of 12-0.

Adjournment

The next meeting is scheduled for February 10, 2010.

The meeting was adjourned at 11:20 a.m.

SENATE WAYS AND MEANS COMMITTEE

GUEST LIST

DATE: February 9, 2010

NAME	REPRESENTING
Judy Curtis	KDOC
Tommy	KDOC
Dennis Williams	KDOC
Charles Simmons	KDOC
Patrick Woods	SPS
MARK BOZANYK	CAPITOL STRATEGIES
Peter	JJA
Duane Goossen	DoFA
Brendan Yorkley	DoFA
Keith Bradshaw	JJA
Dennis Casanova	JJA
R.J. Wilson	KOSE
Shannon Bell	LGR
Brendan Koops	Hein Law Firm
Kad MULLY	KENNEDY & ASSO.
Doug Sanita	Norton County Community Development
Barbara Hollingsworth	Capital-Journal

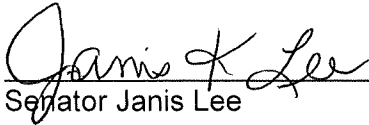
FY 2011

SENATE WAYS AND MEANS SUBCOMMITTEE

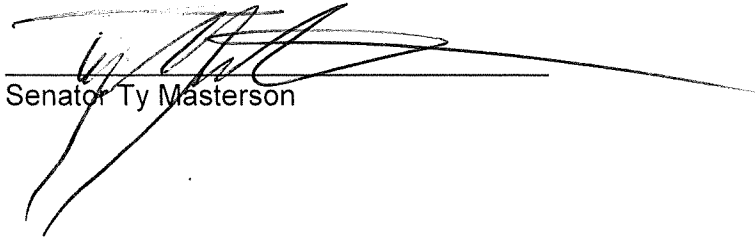
Juvenile Justice Authority



Senator Vicki Schmidt, Chair



Senator Janis Lee



Senator Ty Masterson

Senate Ways & Means Cmte

Date 2-09-2010

Attachment 1

Senate Subcommittee Report

Agency: Juvenile Justice Authority

Bill No. --

Bill Sec. --

Analyst: Christina Allen

Analysis Pg. No. --

Budget Page No. --

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 43,049,661	\$ 42,552,940	\$ 0
Other Funds	25,542,895	24,422,739	0
Subtotal	<u>\$ 68,592,556</u>	<u>\$ 66,975,679</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$	\$ 0
Other Funds	3,150,973	3,150,973	0
Subtotal	<u>\$ 3,150,973</u>	<u>\$ 3,150,973</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 71,743,529</u></u>	<u><u>\$ 70,126,652</u></u>	<u><u>\$ 0</u></u>
FTE positions	45.0	45.0	0.0
Non FTE Uncl. Perm. Pos.	23.0	23.0	0.0
TOTAL	<u><u>68.0</u></u>	<u><u>68.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests operating expenditures of \$68,592,556, including \$43,049,661 from the State General Fund. The estimate is an all funds decrease of \$22,373, or less than 0.1 percent, and a State General Fund increase of \$537,879, or 1.3 percent, above the FY 2010 estimate.

Governor's Recommendation

The **Governor** recommends FY 2011 expenditures of \$66,975,679, including \$42,552,940 from the State General Fund. The Governor's recommendation is an all funds decrease of \$841,683, or 1.2 percent, and a State General Fund increase of \$546,297, or 1.3 percent, above the FY 2010 recommendation.

The recommendation is an all funds decrease of \$1,616,877, or 2.4 percent, and a State General Fund decrease of \$496,721, or 1.2 percent, below the agency request. The decrease is attributable to salaries and wages, contractual services, and caseload estimates expenditure decreases.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation and notes the following:

1. The Subcommittee would like to commend the Juvenile Justice Authority and Commissioner J. Russell Jennings for the Larned Juvenile Correctional Facility being awarded the Barbara Allen-Hagen Award by The Council of Juvenile Corrections Administrators in 2008, a national award recognizing exceptional work to ensure the facilities are safe for youth and staff, hold youth accountable and provide effective rehabilitation services that prevent future crimes. The facility was selected out of more than 200 facilities nationwide.
2. The Subcommittee would also like to commend the Commissioner of the Juvenile Justice Authority for being awarded the Council of Juvenile Correctional Administrators (CJCA) Outstanding Administrator Award in 2009. The award is presented to an individual for their extraordinary leadership of CJCA and the field and their commitment to improving the lives of youths.
3. **Authorized Positions.** The Juvenile Justice Authority's position authority has been reduced by 128.0 FTE and increased by 1.0 Non-FTE position since FY 2009. The reduction is due to the closure of the Atchison Juvenile Correctional Facility in FY 2009 and the Beloit Juvenile Correctional Facility in FY 2010. Due to this current reduction in positions the Subcommittee does not recommend eliminating any additional FTE from the Governor's recommendation.
4. The Subcommittee would like to note that salaries and wages represent a large portion of the Juvenile Justice Authority system wide budget. The majority of authorized positions for the Juvenile Justice Authority is to staff facilities that are operational 24 hours a day, seven days per week, not the average eight hours a day, five days per week.
5. The Subcommittee would also like to note that in light of the State's current fiscal crisis, agency budget reductions, and the resulting unfortunate closure of two of the agency's facilities, that the Commissioner has exceeded expectations by working very hard with the leaders of the affected communities to lessen the impact of the closures on these communities.

Senate Subcommittee Report

Agency: Kansas Juvenile Correctional Complex **Bill No. --** **Bill Sec. --**

Analyst: Christina Allen **Analysis Pg. No. --** **Budget Page No. --**

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 17,525,210	\$ 16,856,354	\$ 0
Other Funds	842,297	842,297	0
Subtotal	<u>\$ 18,367,507</u>	<u>\$ 17,698,651</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 18,367,507</u></u>	<u><u>\$ 17,698,651</u></u>	<u><u>\$ 0</u></u>
FTE positions	297.5	297.5	0.0
Non FTE Uncl. Perm. Pos.	9.0	9.0	0.0
TOTAL	<u><u>306.5</u></u>	<u><u>306.5</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests a FY 2011 operating budget of \$18,367,507, an increase of \$431,718, or 2.4 percent, above the revised FY 2010 estimate. The agency estimates FY 2011 State General Fund expenditures of \$17,525,210, an increase of \$699,817, or 4.2 percent, above the agency's FY 2010 estimate. The agency is requesting \$487,767, all from the State General Fund, for an enhancement package to fund a 2.5 percent Juvenile Corrections Officer (JCO) I salary increase as negotiated by the Teamster's Union contract effective April 5, 2009. Without the enhancement the request is an all funds decrease of \$56,049, or less than 0.1 percent, and a State General Fund increase of \$212,050, or 1.3 percent, above the FY 2010 estimate.

Governor's Recommendation

The **Governor** recommends FY 2011 expenditures \$17,698,651, including \$16,856,354 from the State General Fund. The recommendation is an all funds increase of \$207,018, or 1.2 percent, and a State General Fund increase of \$475,117 or 2.9 percent, above the FY 2010 recommendation.

The recommendation is a State General Fund decrease of \$668,856, or 3.8 percent, below the agency's FY 2011 request. The decrease is mostly attributed to the Governor not recommending the agency's enhancement request.

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Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Larned Juvenile Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Christina Allen

Analysis Pg. No. --

Budget Page No. --

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 9,041,186	\$ 8,719,585	\$ 0
Other Funds	196,097	196,097	0
Subtotal	<u>\$ 9,237,283</u>	<u>\$ 8,915,682</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 9,237,283</u></u>	<u><u>\$ 8,915,682</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	157.0	157.0	0.0
Non FTE Uncl. Perm. Pos.	10.0	10.0	0.0
TOTAL	<u><u>167.0</u></u>	<u><u>167.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests a FY 2011 operating budget of \$9,237,283, an increase of \$72,666, or 0.8 percent, above the agency's FY 2010 estimate. The request includes State General Fund expenditures of \$9,041,186, an increase of \$98,393, or 1.1 percent, above the agency's FY 2010 estimate. The agency requests expenditures of \$196,097 in special revenue funds, a decrease of \$25,727, or 11.6 percent, below the revised FY 2010 amount. The agency is requesting \$50,403, all from the State General Fund, for an enhancement package to fund a 2.5 percent Juvenile Correctional Officer I salary increase agreed to under the Teamsters Union contract effective April 5, 2009.

Governor's Recommendation

The **Governor** recommends operating expenditures of \$8,915,682, including \$8,719,585 from the State General Fund. The recommendation is an all funds decrease of \$38,620, or 0.4 percent, below the amount in the Governor's FY 2010 recommendation.

The recommendation is a decrease of \$321,601, or 3.5 percent, all from the State General Fund, below the agency's FY 2011 request. The decrease is mostly attributed to reductions in salaries and wages.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

FY 2011

SENATE WAYS AND MEANS SUBCOMMITTEE

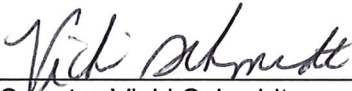
Department of Corrections
El Dorado Correctional Facility
Ellsworth Correctional Facility
Hutchinson Correctional Facility
Lansing Correctional Facility
Larned Correctional Mental Health Facility
Norton Correctional Facility
Topeka Correctional Facility
Winfield Correctional Facility



Senator Mark Taddiken, Chair



Senator Janis Lee



Senator Vicki Schmidt



Senator Ruth Teichman

Senate Ways & Means Cmte

Date 2-09-2010

Attachment 2

Senate Subcommittee Report

Agency: Department of Corrections

Bill No. - -

Bill Sec. - -

Analyst: Waltner

Analysis Pg. No. - -

Budget Page No. 329

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 126,023,861	\$ 102,308,825	\$ 0
Other Funds	17,211,097	17,094,497	0
Subtotal	\$ 143,234,958	\$ 119,403,322	\$ 0
Capital Improvements			
State General Fund	\$ 2,349,303	\$ 1,845,303	\$ 0
Other Funds	5,016,000	4,873,000	0
Subtotal	\$ 7,365,303	\$ 6,718,303	\$ 0
TOTAL	\$ 150,600,261	\$ 126,121,625	\$ 0
FTE positions	321.0	321.0	0.0
Non FTE Uncl. Perm. Pos.	118.0	118.0	0.0
TOTAL	439.0	439.0	0.0

Agency Request

The **agency** requests operating expenditures totaling \$143.2 million, including \$126.0 million from the State General Fund. The revised estimate is an all funds increase of \$19.7 million, or 15.9 percent, above the FY 2010 revised estimate. The changes include an increase of \$21.8 million, or 20.9 percent, from the State General Fund, which is partially offset by a decrease of \$2.1 million, or 10.7 percent, in expenditures from special revenue funds. All of the increase is due to enhancement requests which total \$20.8 million, including \$20.7 million from the State General Fund. Absent the enhancements the request totals \$122.4 million, including \$105.3 from the State General Fund, which is an all funds decrease of \$1.1 million, or 0.9 percent, below the FY 2010 revised estimate but is a State General Fund increase of \$1.1 million, or 1.0 percent. The revised estimate includes 321.0 FTE positions and 118.0 non-FTE unclassified positions. A reduction 3.0 non-FTE unclassified positions.

The revised estimate for FY 2010 includes capital improvements expenditures totaling \$7.4 million, including \$2.3 million from the State General Fund. The capital improvements request includes \$3.6 million for debt service principal payments and \$3.7 million for rehabilitation and repair as well as other capital projects including an enhancement of \$504,000.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures totals \$119.4 million, including \$102,308,825 from the State General Fund. The request is an all funds decrease of \$23.8

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million, or 16.6 percent, and a State General General Fund decrease of \$23.7 million, or 18.8 percent, below the agency's FY 2011 request. Most of the decrease is due to the enhancement requests made by the agency that were not recommended by the Governor. The change between the Governor's recommendation for FY 2011 and the agency's request includes:

- A decrease of \$20,802,636, including \$20,686,036 from the State General Fund in enhancement requests that are not recommended by the Governor;
- A decrease of \$843,000, all from the State General Fund, in capital outlay expenditure reductions;
- A decrease of \$1,269,000, all from the State General Fund, in reductions to the parole services sub-program;
- A decrease of \$691,000, all from the State General Fund, for staffing reductions;
- A reduction of \$66,000, all from the State General Fund, for the food service contract; and
- A reduction of \$160,000, all from the State General Fund, due to the elimination of substance abuse treatment at Topeka Correctional Facility.

The recommendation also includes the the release of encumbrances from FY 2009 totaling \$272,000, all from the State General Fund, and a transfer of \$500,000 from the Correctional Industries Fund to the State General Fund in FY 2011. The recommendation would fund 321.0 FTE and 118.0 non-FTE unclassified positions, the same as the agency request for FY 2011.

The Governor's recommendation for FY 2011 capital improvements expenditures totals \$6.7 million, including \$1.8 million from the State General Fund. The recommendation is a decrease of \$647,000, or 8.8 percent, below the FY 2011 agency request. The difference is due to an enhancement request made by the agency, which is not recommended by the Governor and a downward projection of \$143,000 in the available funds in the CIBF.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following notations:

1. The Subcommittee notes that the FY 2011 Governor's recommendation for the Department of Corrections system operating expenditures is a State General Fund increase of \$3.8 million, or 1.8 percent above the FY 2010 Governor's recommendation. The increase is primarily due to \$3.6 million in enhancement funding recommended by the Governor to reduce the shrinkage rate at the correctional facilities.
2. The Subcommittee notes that the current adult male prison population projections from the Kansas Sentencing Commission project that the male inmate population will exceed capacity in FY 2012. The Department of Corrections closed the Stockton, Osawatomie, and Toronto Correctional Facilities and the north unit at El Dorado Correctional Facility in FY 2009 to achieve budget savings. One or several of those facilities could be reopened to expand current capacity to adequately house the projected population without the need to build

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new facilities. The Department of Corrections requested that Stockton Correctional Facility be reopened in FY 2011 to begin hiring and training staff, at a cost of \$531,859 from the State General Fund. Prior to the closure of Stockton Correctional Facility, the yearly operational cost was \$1.7 million.

3. Additional budget reductions to the Department of Corrections system could result in the closure of adult residential centers in Johnson and Sedgwick counties, intensive community supervision programs, reentry programs, and the reduction of inmate beds at the eight facilities.

The Secretary of Corrections does not have the ability to release inmates early and if the need to take additional inmate beds off line for budget savings occurs; legislation would have to be passed to allow for the earlier release of inmates to avoid overcrowding in the correctional facilities. In addition, if additional inmate beds need to be taken off line for budget savings the Subcommittee recommends that the Secretary shut down cell houses at several facilities rather than closing an entire facility.

4. The Subcommittee heard testimony that the Department of Corrections has several projects that need attention over the coming fiscal years, those projects include:

- Restoration of cuts to the medical/mental health contract (\$3.7 million);
- Replacement of the offender management information system/total offender activity document system (OMIS/TOADS)(\$3.0 million);
- Restoration of cuts to offender programs (\$7.7 million);
- Restoration of funds for community corrections (\$1.1 million);
- Migrating correctional officers from KPERS retirement to Kansas Police and Fire or a similar retirement system (\$0 in the implementation year, \$5.3 million annually after implementation);
- Replacement of aging vehicles (\$3.2 million for 170 vehicles);
- Conversion to narrowband radio communication (\$742,945); and
- Housing and treatment services for severely mentally ill and behaviorally disordered inmates and parolees (\$504,000 to begin planning).

5. The Subcommittee notes that House Bill 2433 would allow the Board of Regents to bid out contracts for commodities that it currently purchases through the Kansas Correctional Industries. The bill could negatively affect the receipts received by the Kansas Correctional Industries and the Department requests that the bill be amended so that the Kansas Correctional Industries is not restricted to selling goods only to state agencies and non-profit groups.

6. The Subcommittee notes that it did not have sufficient information to adjust the FTE positions in the Department of Corrections or the correctional facilities at this time.

Senate Subcommittee Report

Agency: El Dorado Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 343

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 23,987,760	\$ 23,525,600	\$ 0
Other Funds	40,461	40,461	0
Subtotal	<u>\$ 24,028,221</u>	<u>\$ 23,566,061</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 209,457	\$ 209,457	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 209,457</u>	<u>\$ 209,457</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 24,237,678</u></u>	 <u><u>\$ 23,775,518</u></u>	 <u><u>\$ 0</u></u>
 FTE positions	 426.0	 426.0	 0.0
Non FTE Uncl. Perm. Pos.	3.0	3.0	0.0
TOTAL	<u><u>429.0</u></u>	<u><u>429.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures totals \$24.0 million, including \$24.0 from the State General Fund. The request is an increase of \$662,421, or 2.8 percent, from all funds and \$662,421, or 2.8 percent from the State General Fund, above the FY 2010 revised estimate. The request includes \$1,040,338, all from the State General Fund, in enhancements for contractual services, commodities, capital outlay expenditures, and to reduce shrinkage. The request would fund 426.0 FTE positions and 3.0 non-FTE positions, the same as the FY 2010 revised estimate.

The FY 2011 request for capital improvements totals \$209,457, all from the State General Fund. All of the FY 2011 capital improvements request is for debt service principal payments.

Governor's Recommendation

The **Governor** recommends \$23.6 million, including \$23.5 million from the State General Fund, for FY 2011 operating expenditures. The recommendation is an all funds decrease of \$462,160, or 1.9 percent, and a State General Fund decrease of \$462,160, or 1.9 percent, below the FY 2011 revised agency estimate due to three enhancements that were not recommended by the Governor. The recommendation does include one enhancement, totaling \$578,178, all from the State General Fund, to reduce the salary and wages shrinkage rate.

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The recommendation is an increase of \$200,261, or 0.9 percent, above the FY 2010 recommendation. The changes include:

- An increase of \$385,963 in salaries and wages due primarily to increases in fringe benefit contributions;
- An increase of \$15,435 in contractual services for utilities expenditures, which are partially offset by smaller decreases for other contractual services;
- A decrease of \$193,142 in commodities, mostly in kitchen and laundry supplies; and
- A decrease of \$7,995 for debt service interest payments based on the repayment schedule of the energy savings program loans.

The **Governor** concurs with the FY 2011 agency request for capital improvements.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Ellsworth Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 345

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 12,942,297	\$ 12,859,512	\$ 0
Other Funds	44,424	44,424	0
Subtotal	<u>\$ 12,986,721</u>	<u>\$ 12,903,936</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 77,097	\$ 77,097	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 77,097</u>	<u>\$ 77,097</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 13,063,818</u></u>	<u><u>\$ 12,981,033</u></u>	<u><u>\$ 0</u></u>
FTE positions	219.0	219.0	0.0
Non FTE Uncl. Perm. Pos.	3.0	3.0	0.0
TOTAL	<u><u>222.0</u></u>	<u><u>222.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$13.0 million, including \$12.9 million from the State General Fund. The request is an all funds increase of \$382,424, or 3.0 percent, and a State General Fund increase of \$389,215, or 3.1 percent, above the FY 2010 revised estimate. The request includes \$296,899, all from the State General Fund, in enhancement requests for a reduced salary and wages shrinkage rate, capital outlay, and other operating expenditures. The FY 2011 request would fund 219.0 FTE and 3.0 non-FTE unclassified positions, the same as FY 2010.

Ellsworth Correctional Facility included \$77,097 for capital improvement expenditures in its FY 2011 budget request. All of the budgeted expenditures are for debt service principal payments on the energy enhancement program loans.

Governor's Recommendation

The **Governor** recommends \$12.9 million, including \$12,859,512 from the State General Fund, for FY 2011 operating expenditures. The recommendation is an all funds decrease of \$82,785, or 0.6 percent, and a State General Fund decrease of \$82,785, or 0.6 percent, below the agency's FY 2011 request. All of the difference is due to enhancement requests that were not recommended by the Governor. The FY 2011 recommendation does include one enhancement totaling \$214,114, all from the State General Fund, to reduce the salary and

wages shrinkage rate. The recommendation would fund 219.0 FTE and 3.0 non-FTE unclassified positions, the same as the FY 2011 agency request.

The recommendation is an all funds increase of \$299,639, or 2.4 percent, and a State General Fund increase of \$306,430, or 2.4 percent, above the FY 2010 recommendation. The change is due to:

- An increase of \$307,591 in salaries and wages due to a decrease in the salary and wages shrinkage rate (\$55,768) and an increase in fringe benefit contributions (\$251,823) primarily group health insurance and retirement contributions;
- An increase of \$7,500 in contractual services for electricity expenses; and
- A decrease of \$15,452 in commodities for maintenance supplies.

The **Governor** concurs with the FY 2011 agency request for capital improvements.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Hutchinson Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 347

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 8,744,507	\$ 8,039,154	\$ 0
Other Funds	21,693,300	21,693,300	0
Subtotal	<u>\$ 30,437,807</u>	<u>\$ 29,732,454</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 294,000	\$ 269,000	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 294,000</u>	<u>\$ 269,000</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 30,731,807</u></u>	<u><u>\$ 30,001,454</u></u>	<u><u>\$ 0</u></u>
FTE positions	512.0	512.0	0.0
Non FTE Uncl. Perm. Pos.	3.0	3.0	0.0
TOTAL	<u><u>515.0</u></u>	<u><u>515.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$30.4 million, including \$8.7 million from the State General Fund for FY 2011 operating expenditures. The request is an all funds increase of \$1.4 million, or 4.7 percent, and a State General Fund increase of \$635,349, or 7.8 percent, above the FY 2010 revised estimate. The FY 2011 request includes \$21.5 million in American Recovery and Reinvestment Act (ARRA) federal funds. ARRA funds were inserted into the HCF budget by the 2009 Legislature to supplant State General Fund expenditures. The request includes enhancements totaling \$1.4 million, all from the State General Fund, for utilities, officer clothing, a transport bus, capital outlay, and to reduce the salary and wages shrinkage rate. The FY 2011 request would fund 512.0 FTE and 3.0 non-FTE unclassified positions, the same as the FY 2010 revised estimate.

The FY 2011 capital improvements request totals \$294,000, all from the State General Fund. Of the total, \$269,000 is for debt service principal payments and \$25,000 in enhancement funding to replace an aging backflow preventer that the facility needs to continue water services from the City of Hutchinson.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures totaling \$29.7 million, including \$8.0 million from the State General Fund. The recommendation is an all funds decrease of \$705,353, or 2.3 percent, and a State General Fund decrease of \$705,353, or 8.1 percent.

below the agency's FY 2011 request. All of the difference is due to enhancement funding requested by the agency that was not recommended by the Governor. The recommendation does include enhancement funding totaling \$713,121, all from the State General Fund, to reduce the salary and wages shrinkage rate. The recommendation would fund 512.0 FTE positions and 3.0 non-FTE unclassified positions, the same as the agency's FY 2011 request.

The **Governor** recommends \$269,000, all from the State General Fund, for capital Improvements projects. The recommendation is a decrease of \$25,000, or 8.5 percent, below the FY 2011 agency request. All of the change is due to enhancement funding that the Governor did not recommend.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Lansing Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 349

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 38,006,646	\$ 37,946,996	\$ 0
Other Funds	275,000	275,000	0
Subtotal	<u>\$ 38,281,646</u>	<u>\$ 38,221,996</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 379,140	\$ 379,140	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 379,140</u>	<u>\$ 379,140</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 38,660,786</u></u>	<u><u>\$ 38,601,136</u></u>	<u><u>\$ 0</u></u>
FTE positions	682.0	682.0	0.0
Non FTE Uncl. Perm. Pos.	3.0	3.0	0.0
TOTAL	<u><u>685.0</u></u>	<u><u>685.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$38.3 million, including \$38.0 million from the State General Fund, for FY 2011 operating expenditures. The request is an all funds increase of \$1.1 million, or 2.9 percent, and a State General Fund increase of \$1.1 million, or 2.8 percent, above the FY 2010 revised estimate. The request includes enhancements totaling \$750,582, all from the State General Fund, for hand-held radio replacement, perimeter camera system upgrades, and to reduce shrinkage. The FY 2011 request would fund 682.0 FTE positions and 3.0 non-FTE unclassified positions, the same as the FY 2010 revised estimate.

The FY 2011 request for capital improvements expenditures totals \$379,140, all from the State General Fund. All of the capital improvements expenditures in FY 2011 are for debt service principal payments on the energy efficiency program loans.

Governor's Recommendation

The **Governor** recommends \$38.2 million, including \$37.9 million from the State General Fund, for FY 2011 operating expenditures. The recommendation is an all funds decrease of \$59,650, or 0.2 percent, and a State General Fund decrease of \$59,650, or 0.2 percent, below the agency's FY 2011 request. All of the difference is due to enhancements requests made by the agency that were not recommended by the Governor. The recommendation does include \$690,932, all from the State General Fund, in enhancement funding to reduce the salary and

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wages shrinkage rate. The recommendation would fund 682.0 FTE and 3.0 non-FTE unclassified positions, the same as the agency request.

The recommendation is an all funds increase of \$1.0 million, or 2.7 percent, and a State General Fund increase of \$991,135, or 2.7 percent, above the FY 2010 recommendation. Changes from the FY 2010 recommendation include:

- An increase of \$868,338 in salaries and wages due to the enhancement to reduce the shrinkage rate and some smaller increases in fringe benefit contributions;
- An increase of \$221,430 in contractual services for utilities;
- A decrease of \$103,875 in commodities, primarily for inmate and officer clothing, kitchen and laundry supplies, maintenance supplies, and office supplies;
- An increase of \$102,375 in capital outlay primarily professional and scientific equipment; and
- A decrease of \$12,483 in debt service interest payments based on the repayments schedule for the energy efficiency program loans.

The **Governor** concurs with the FY 2011 agency request for capital improvements.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Larned Correctional Mental Health Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 351

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 10,018,084	\$ 9,935,653	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 10,018,084</u>	<u>\$ 9,935,653</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 14,762	\$ 14,762	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 14,762</u>	<u>\$ 14,762</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 10,032,846</u></u>	<u><u>\$ 9,950,415</u></u>	<u><u>\$ 0</u></u>
FTE positions	185.0	185.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u><u>186.0</u></u>	<u><u>186.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$10.0 million, all from the State General Fund for FY 2011 operating expenditures. The request is an increase of \$135,993, or 1.4 percent, above the revised FY 2010 estimate. The request includes \$82,431, all from the State General Fund, in enhancements for maintenance equipment and an electronic timekeeping system for employees. The FY 2011 request would fund 185.0 FTE positions and 1.0 non-FTE unclassified positions, the same as the FY 2010 revised estimate.

The FY 2011 request for capital improvements expenditures totals \$14,762, all from the State General Fund. All of the request is for debt service principal payments on the energy efficiency program loans.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures totaling \$9.9 million, all from the State General Fund. The recommendation is a decrease of \$82,431, or 0.8 percent, below the agency's request. All of the difference between the agency request and Governor's recommendation is due to the three agency enhancement requests, which were not recommended by the Governor.

The recommendation is an all funds increase of \$53,562, or 0.5 percent, and a State General Fund increase of \$66,862, or 0.7 percent, above the FY 2010 recommendation. The

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increase is primarily budgeted for utilities expenditures. The recommendation would fund 185.0 FTE positions and 1.0 non-FTE unclassified position, the same as the agency request.

The **Governor** concurs with the FY 2011 agency request for capital improvements.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Norton Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 353

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 4,104,327	\$ 3,426,123	\$ 0
Other Funds	10,105,065	10,105,065	0
Subtotal	<u>\$ 14,209,392</u>	<u>\$ 13,531,188</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 175,479	\$ 175,479	\$ 0
Other Funds	0		0
Subtotal	<u>\$ 175,479</u>	<u>\$ 175,479</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 14,384,871</u></u>	<u><u>\$ 13,706,667</u></u>	<u><u>\$ 0</u></u>
FTE positions	264.0	232.0	0.0
Non FTE Uncl. Perm. Pos.	3.0	3.0	0.0
TOTAL	<u><u>267.0</u></u>	<u><u>235.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$14.2 million, including \$4.1 million from the State General Fund for FY 2011 operating expenditures. The request is an all funds increase of \$871,404, or 6.5 percent, and a State General Fund increase of \$915,245, or 28.7 percent, above the FY 2010 revised estimate. The FY 2011 request includes enhancements totaling \$1.4 million, all from the State General Fund, to reduce the salary and wages shrinkage rate from 10.67 percent to 5.0 percent, to reopen the Stockton Correctional Facility, and for utilities. The request would fund 264.0 FTE positions and 3.0 non-FTE unclassified positions.

The FY 2011 capital improvements request totals \$175,479, all from the State General Fund, for debt service interest payments on the Facility Conservation Improvement Program loans. The requested debt service principal payments are an increase of \$6,881 based on the repayment schedule of the loans.

Governor's Recommendation

The **Governor** recommends \$13.5 million, including \$3.4 million from the State General Fund, for FY 2011 operating expenditures. The recommendation is a reduction of \$678,204, all from the State General Fund, and 32.0 FTE positions below the FY 2011 agency request. The difference is due to enhancement funding requested by the agency that is not recommended by the Governor. The recommendation includes \$702,536, all from the State General Fund, in

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enhancement funding to reduce the salary and wages shrinkage rate. The recommendation would fund 232.0 FTE and 3.0 non-FTE unclassified positions.

The recommendation is an all funds increase of \$193,200, or 1.4 percent, and a State General Fund increase of \$237,041, or 7.4 percent, above the FY 2010 recommendation. The change is primarily due to the recommended enhancement funding but includes several smaller changes including reductions for utilities and in-state travel.

The **Governor** concurs with the FY 2011 agency request for capital improvements expenditures.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Topeka Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 355

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 13,484,812	\$ 13,020,042	\$ 0
Other Funds	719,296	719,895	0
Subtotal	<u>\$ 14,204,108</u>	<u>\$ 13,739,937</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 64,015	\$ 64,015	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 64,015</u>	<u>\$ 64,015</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 14,268,123</u></u>	<u><u>\$ 13,803,952</u></u>	<u><u>\$ 0</u></u>
FTE positions	246.0	246.0	0.0
Non FTE Uncl. Perm. Pos.	7.0	7.0	0.0
TOTAL	<u><u>253.0</u></u>	<u><u>253.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$14.2 million, including \$13.5 million from the State General Fund for FY 2011 operating expenditures. The request is an all funds increase of \$813,364, or 6.1 percent, and a State General Fund increase of \$957,765, or 7.6 percent, above the FY 2010 revised estimate. The request includes enhancements that total \$776,929, all from the State General Fund to reduce the salary and wages shrinkage rate and fund 11.0 FTE positions that are currently authorized but unfunded. The FY 2011 request would fund 246.0 FTE positions and 7.0 non-FTE unclassified positions, the same as the FY 2010 revised estimate.

The FY 2011 capital improvements request totals \$64,015, all from the State General Fund, for debt service principal payments on the Facility Conservation Improvement Program loans, which is the same as the debt service principal payments in the FY 2010 revised estimate.

Governor's Recommendation

The **Governor** recommends \$13.7 million, including \$13.0 million from the State General Fund. The recommendation is a decrease of \$464,770, all from the State General Fund, below the FY 2011 agency request due to enhancement funding requested by that agency that was not recommended by the Governor. The recommendation does include \$312,159, all from the State General Fund, in enhancement funding to reduce the salary and wages shrinkage rate. The recommendation includes 246.0 FTE and 7.0 non-FTE unclassified positions, the same as the agency request.

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The recommendation is an all funds increase of \$348,594, or 2.6 percent, and a State General Fund increase of \$492,995, or 3.9 percent, above the FY 2010 recommendation. Most of the increase is due to the enhancement funding to reduce the salary and wages shrinkage rate but there are also smaller increases for inmate incentive pay, kitchen and laundry supplies, and inmate clothing.

The **Governor** concurs with the agency's FY 2011 request for capital improvements.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Winfield Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Waltner

Analysis Pg. No. --

Budget Page No. 357

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 2,985,533	\$ 2,546,381	\$ 0
Other Funds	10,282,331	10,282,331	0
Subtotal	<u>\$ 13,267,864</u>	<u>\$ 12,828,712</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 136,181	\$ 136,181	\$ 0
Other Funds	0		0
Subtotal	<u>\$ 136,181</u>	<u>\$ 136,181</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 13,404,045</u></u>	 <u><u>\$ 12,964,893</u></u>	 <u><u>\$ 0</u></u>
 FTE positions	 200.0	 200.0	 0.0
Non FTE Uncl. Perm. Pos.	2.0	2.0	0.0
TOTAL	<u><u>202.0</u></u>	<u><u>202.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures totaling \$13.3 million, including \$3.0 million from the State General Fund. The request is an all funds increase of \$753,934, or 6.0 percent, and a State General Fund increase of \$741,974, or 33.1 percent from the State General Fund above the FY 2010 revised estimate. The request includes \$10.0 million in federal American Recovery and Reinvestment Act funds that were inserted by the 2009 Legislature in place of a State General Fund appropriation. The request includes \$795,361, all from the State General Fund, in enhancements for capital outlay, utilities, travel and subsistence, and to reduce the salary and wages shrinkage rate. The FY 2011 request would fund 200.0 FTE positions and 2.0 non-FTE unclassified positions, the same as the FY 2010 revised estimate.

The FY 2011 request for capital improvements expenditures totals \$136,181, all from the State General Fund, for debt service principal payments on the Facility Conservation Improvement Program loans. The debt service principal payment request for FY 2011 is the same as the FY 2010 revised estimate.

Governor's Recommendation

The **Governor** recommends \$12.8 million, including \$2.5 million from the State General Fund, for FY 2011 operating expenditures. The recommendation is an all funds increase of \$314,782, or 2.5 percent, and a State General Fund increase of \$302,822, or 13.5 percent, above the FY 2010 recommendation. Most of the increase is in salaries and wages (\$223,682)

due to the recommended enhancement to reduce the shrinkage rate and some smaller changes in the fringe benefit contributions. There is also an increase in contractual services (\$125,195) primarily due to budgeted expenditures for electricity. In addition, there is a decrease in commodities (\$4,095), primarily for office supplies and inmate clothing and capital outlay (\$30,000), which is mostly for computer system upgrades or replacement. The recommendation would fund 200.0 FTE and 2.0 non-FTE unclassified positions, the same as the FY 2011 agency request.

The recommendation is a decrease of \$439,152, all from the State General Fund, below the agency request due to enhancement requests for capital outlay, utilities, and travels and subsistence that are not recommended by the Governor. The recommendation does include \$356,209, all from the State General Fund, in enhancement funding to reduce the salary and wages shrinkage rate.

The **Governor** concurs with the FY 2011 agency request for capital improvements.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.