

## MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Kevin Yoder at 9:00 a.m. on March 3, 2009, in Room 143-N of the Capitol.

All members were present except:

Representative Jerry Henry- excused

Committee staff present:

Jim Wilson, Office of the Revisor of Statutes  
Nobuko Folmsbee, Office of the Revisor of Statutes  
Christina Butler, Kansas Legislative Research Department  
Audrey Dunkel, Kansas Legislative Research Department  
J.G. Scott, Kansas Legislative Research Department  
Kelly Cure, Chief of Staff  
Kathy Holscher, Committee Assistant

Conferees appearing before the Committee:

None

Others attending:

See attached list.

- Attachment 1 Appropriations House Bills
- Attachment 2 March Committee Calendar
- Attachment 3 Department of Administration Budget Committee Report
- Attachment 4 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 Budget Committee Reports

Representative Watkins made a motion to introduce legislation for the state Finance establishment of a process to evaluate federal funding available for the American Economic Recovery Reinvestment Act. The motion was seconded by Representative McLeland. Motion carried.

Representative Feuerborn made a motion to introduce legislation regarding the sexual predator treatment transition. The motion was seconded by Representative Gatewood. Motion carried.

Representative Lane made a motion to introduce legislation relating to assault of employees of the mass transit systems while fulfilling their duties. The motion was seconded by Representative Feuerborn. Motion carried.

Chairman Yoder asked Committee members to inform him of legislation they would like introduced and that may be presented as a bill, in consideration of the approaching session deadlines. A copy of the bills that have been assigned to the Committee was distributed, (Attachment 1). The March Committee calendar was reviewed (Attachment 2). Chairman Yoder reported that, at his request, Representative Whitham will chair a subcommittee to review the Post Audit Report on all programs. Committee members are welcome to attend these meetings, and they were encouraged to review the Post Audit Report. Feedback from these meetings will be brought to the Committee.

Representative Watkins, Chair of the General Government Budget Committee, presented Budget Committee report on the Governor's budget recommendations for the Department of Administration FY 2010 and moved to approve the Budget Committee recommendations for FY 2010, (Attachment 3). The motion was seconded by Representative Whitham.

Discussion followed by Committee members regarding work completed in the fiscal year but that was not billed and capital improvements.

## CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:00 a.m. on March 3, 2009, in Room 143-N of the Capitol.

Secretary Goossen, Secretary, Department of Administration, discussed the Governor's FY 2010 budget proposal to restructure SGF bond payments to pay interest only, and spread the principle payments over the remaining years. At the request of Committee members, Secretary Goossen will provide the total cost of interest involved.

Marilyn Jacobson, Facilities Management, discussed Capital Improvement projects.

Representative Watkins renewed the motion to adopt the Department of Administration FY 2010 Budget Committee recommendations. Motion carried.

Representative Tafanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Corrections FY 2010 and moved for the adoption of the Budget Committee recommendations, FY 2010 (Attachment 4). The motion was seconded by Representative Gatewood.

Budget Committee members responded to questions from Committee members regarding: enhancements for review at Omnibus; residential centers; status of facility closures; administration cuts; and expansion projects. Committee members expressed concerns regarding the bonding authority of \$1.7 million in July, 2007, then closure of facilities one year later, which was followed by a request for proposal for the Yates Center project.

Roger Werholtz, Secretary of Corrections, stated that the Finance Council's decision to proceed with contracts to design the expansion or construction of four projects occurred prior to the recession. He discussed bed space, sentencing policies, and administration costs for the Sedgewick and Johnson County correction centers as compared to the costs of offenders in prison.

- Additional Information Requested
  - Actual cost for Yates Center Project
  - Balance of the \$1.7 million bonding authority

Representative Watkins made a motion to amend Item 4 on the FY 2010 Budget Committee Report for the Department of Corrections to add \$1.2 million to Sedgewick County and \$886,000 for Johnson County. The motion was seconded by Representative McLeland.

Committee members expressed concerns for public safety and the potential impact on communities. Clarification of offenders was provided by Secretary Werholtz. He explained that the probationary status is within the jurisdiction of the district courts and supervised by local community corrections officers.

Representative Watkins moved the motion to amend Item 4. Motion failed.

Representative Feuerborn made a motion to strike Item 4 and revisit the Sedgewick and Johnson County Correctional Centers at Omnibus. The motion was seconded by Representative Watkins. Motion carried.

Representative Ballard made a motion to delete Item 5, which would keep \$323,200 in the budget. The motion was seconded by Representative Lane.

Committee members discussed the need to review the enhancement funding for inmate health care at Omnibus.

Representative Ballard withdrew the deletion of Item 5 and made a motion to review this at Omnibus. The motion was seconded by Representative Lane. Motion carried.

Representative McLeland made a motion to put any additional bonding authority on hold. The motion was seconded by Representative Feuerborn.

Discussion by Committee members followed regarding: placing a hold on issuing bonds pending further action from the legislature.

## CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:00 a.m. on March 3, 2009, in Room 143-N of the Capitol.

A review of the State Financial Council's approval of bonds for the planning and design of four projects was provided by Secretary Werholtz. It was noted that the legislature authorized the Financial Council to have authority to issue up to \$19.5 million in bonds. \$1.7 million in bonds were issued for the planning and design of the project, and the actual cost was \$995,000.

Representative McLeland moved the motion. Motion carried.

Representative Tafanelli made a motion to approve the FY 2010 Department of Corrections Budget Committee Report as amended. Motion carried.

Representative Tafanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee reports on the Governor's budget recommendations for: 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 FY 2010, (Attachment 4).and moved for the global adoption of the Budget Committee correctional facilities recommendations for FY 2010. The motion was seconded by Representative Gatewood. Motion carried.

Roger Werholtz, Secretary of the Department of Corrections responded to questions from Committee members. He stated that the Stockton Correctional Facility falls under the Norton Correctional Facility for budgeting purposes, and is the contributing factor for the staffing reductions. The Lansing Correctional Facility budget represents the Osawatomie Correctional Facility and reductions at El Dorado represents the Toronto Correctional Facility.

Budget Committee members responded to questions from Committee members. The Secretary of the Department of Corrections has the authority to transfer funds between the correctional facilities for operational adjustments, uniforms and utility costs. An explanation for the need to replace buses that transport offenders between facilities was provided.

The next meeting is scheduled for March 4, 2009.

The meeting was adjourned at 10:38 a.m.