

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:30 A.M. on March 11, 2005 in Room 123-S of the Capitol.

All members were present except:

Senator Vicki Schmidt- excused

Senator Jean Schodorf- excused

Committee staff present:

Jill Wolters, Senior Assistant, Revisor of Statutes

Theresa Kiernan, Revisor of Statutes Office

Mary Ann Torrence, Revisor of Statutes Office

Alan Conroy, Director, Kansas Legislative Research Department

Amy Deckard, Kansas Legislative Research Department

Audrey Dunkel, Kansas Legislative Research Department

Julian Efird, Kansas Legislative Research Department

Susan Kannarr, Kansas Legislative Research Department

Becky Krahl, Kansas Legislative Research Department

Matt Spurgin, Kansas Legislative Research Department

Judy Bromich, Administrative Analyst

Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Doug Lawrence, representing the Kansas Greyhound Association

Others attending:

See attached list.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2005 and FY 2006 were available to the committee.

Subcommittee budget reports on:

Kansas Human Rights Commission (Attachment 1)

Subcommittee Chairwoman Carolyn McGinn reported that the subcommittee on the Kansas Human Rights Commission concurs with the Governor's recommendation in FY 2005 with observation and concurs with the Governor's FY 2006 recommendations with adjustments and observations. Copies of data requested by the Senate Ways and Means Subcommittee regarding the type and number of complaints received by the Kansas Human Rights Commission were distributed (Attachment 2).

Senator Teichman moved, with a second by Senator Emler, to amend the subcommittee report on the Kansas Human Rights Commission in FY 2006, to make a technical correction regarding Item No. 2. Motion carried on a voice vote.

Senator Mc Ginn moved, with a second by Senator Wysong, to adopt the subcommittee budget report as amended on the Kansas Human Rights commission in FY 2005 and FY 2006. Motion carried on a voice vote.

Kansas Department of Corrections (Attachment 3)

El Dorado Correctional Facility

Ellsworth Correctional Facility

Hutchinson Correctional Facility

Lansing Correctional Facility

Larned Correctional Facility

Norton Correctional Facility

Topeka Correctional Facility

CONTINUATION SHEET

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Winfield Correctional Facility

Subcommittee Chairman Mark Taddiken reported that the subcommittee on the Kansas Department of Corrections concurs with the Governor's recommendation in FY 2005 with observation and concurs with the Governor's FY 2006 recommendations with adjustments and observations.

Senator Emler moved, with a second by Senator Teichman, to amend the subcommittee report on the Kansas Department of Corrections to make a technical correction in FY 2006 on page 6. Motion carried on a voice vote.

Senator Barone moved, with a second by Senator Kelly, to adopt the subcommittee budget report on the Kansas Department of Corrections in FY 2005 and FY 2006 as amended. Motion carried on a voice vote.

Subcommittee Chairman Taddiken reported that all of the Correctional Facilities concurred with the Governor in FY 2005 and FY 2006, with the exception of the pay plan. Therefore, Senator Teichman moved, with a second by Senator Barone, to adopt the subcommittee budget report on the El Dorado Correctional Facility, Ellsworth Correctional Facility, Hutchinson Correctional Facility, Lansing Correctional Facility, Larned Correctional Facility, Norton Correctional Facility, Topeka Correctional Facility and the Winfield Correctional Facility in FY 2005 and FY 2006. Motion carried on a voice vote.

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

SB 243--Allowing construction and operation of private prisons

Senator Wysong moved, with a second by Senator McGinn, to adopt a proposed balloon amendment suggested by the Secretary of Corrections on **SB 243** (Attachment 4). Motion carried on a voice vote.

Senator Umbarger moved, with a second by Senator Wysong, to report **SB 243** favorable for passage as amended. Motion carried on a roll call vote.

Senator McGinn explained her vote in that she had concerns about private prisons and voted "Aye" so the entire body in the Senate could address the issue. Senator Wysong explained his vote that, as a county commissioner, the issue of private prisons was studied. He believed that private prisons would save dollars, but many problems still exist, but hopes in time it would save the state money and private prisons would make sense. Senator Betts explained that currently there are problems within the corrections system, and until problems are fixed regarding reintegration of ex-convicts into the community to become productive citizens and the recidivism rate is lower, he will oppose private prisons.

SB 293--Shawnee Indian mission state historic property, sale of a portion to city of Fairway, proceeds for site redevelopment

Senator Wysong requested that if the bill was passed out of committee, that it would be held below the line on the Senate Calendar in order to get better communication between the interested parties in Northeast Johnson County so everyone involved could have input regarding the bill.

Senator Barone moved, with a second by Senator Kelly, to report **SB 293** favorable for passage. Motion carried on a roll call vote.

Following discussion, Chairman Umbarger called the Committee's attention to:

SB 243--Allowing construction and operation of private prisons

Senator Steineger moved, with a second by Senator Morris, that the Committee reconsider its previous action on **SB 243**. Motion carried on a voice vote.

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Discussion continued on the bill. Senator Steineger moved the balloon amendment proposed by the Kansas Department of Corrections concerning local units of government with the language removed on page 5 (Attachment 5). Motion died for the lack of a second.

Senator Barone moved the balloon amendment proposed by the Kansas Department of Correction as presented. Motion died for the lack of a second.

Senator Wysong moved, with a second by Senator Taddiken, to report **SB 243** favorable for passage as amended (see Attachment 4). Motion carried on a roll call vote.

Senator McGinn explained her vote in that she had concerns about private prisons and voted “Aye” so the entire body in the Senate could address the issue. Senator Wysong explained his vote that, as a county commissioner, the issue of private prisons was studied. He believed that private prisons would save dollars, but many problems still exist, but hopes in time it would save the state money and private prisons would make sense. Senator Betts explained that currently there are problems within the corrections system, and until problems are fixed regarding reintegration of ex-convicts into the community to become productive citizens and the recidivism rate is lower, he will oppose private prisons.

The Chairman welcomed Doug Lawrence, representing the Kansas Greyhound Association. Mr Lawrence explained that he was not present to advocate for the various provisions of **SB 294**, but to explain key provisions and answer questions. He presented an overview, the structure of the bill, key definitions, the process and revenues (Attachment 6).

Regarding revenues, Mr. Lawrence noted that both the Lottery gaming facility and parimutuel licensees have an obligation to pay the state an accelerated payment of \$15,000 per machine. Mr. Lawrence mentioned that they believe the combination of both would generate \$150 million dollars in FY 2006.

The meeting adjourned at 12:45 p.m. The next meeting is scheduled for March 14, 2005.