

Approved: March 30, 1993  
Date

## MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson August Bogina at 11:00 a.m. on March 24, 1993 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Leah Robinson, Legislative Research Department  
Scott Rothe, Legislative Research Department  
Norm Furse, Revisor of Statutes  
Judy Bromich, Administrative Assistant  
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

### HB 2048 -- APPROPRIATIONS FOR FY94, DEPARTMENT OF CORRECTIONS AND CORRECTIONAL INSTITUTIONS AND FACILITIES

#### LANSING CORRECTIONAL FACILITY (Attachment 1)

#### ELLSWORTH CORRECTIONAL FACILITY (Attachment 2)

Senator Lawrence reviewed the FY93 and FY94 subcommittee reports for both facilities. She noted that the \$4,000 SGF appropriation for the development of a vegetable garden at the Ellsworth facility (Attachment 2-5, item 1) would not be used for labor saving devices. It was moved by Senator Lawrence and seconded by Senator Kerr that the FY93 and FY94 subcommittee reports for the Lansing and Ellsworth Correctional Facilities be approved. The motion carried on a voice vote.

#### DEPARTMENT OF CORRECTIONS (Attachment 3)

Senator Vancrum presented the FY93 and FY 94 subcommittee reports on the Department of Corrections. Concern was expressed regarding the Senate subcommittee's recommendation to reduce the salary and wages pool (item 1, Attachment 3-9) because of the Department's past difficulty in addressing security staffing. It was noted that the administrations of the facilities have requested salary supplementals of \$700,000 and it is the subcommittee's opinion that because the pool has increased since its implementation in FY92, it may become a targeted solution. Members debated the issues of cost effectiveness and flexibility of the salary and wages pool. Senator Salisbury noted that the Secretary is conducting a post analysis of security positions that might be available to assist in a review of shrinkage during Omnibus considerations.

Members expressed their opinion that although video imaging is new and innovative technology, it is not a legislative priority in a difficult financial year. It was moved by Senator Vancrum and seconded by Senator Salisbury that the Video Imaging System be deleted systemwide. The motion carried on a voice vote.

It was noted that HB 2145 (item 8, Attachment 3-11) is in the Senate Judiciary Committee. Senator Moran stated is the State Community Corrections Board is not eliminated, there will need to be an appropriation of \$70,000. The Chairman suggested reviewing this issue during Omnibus considerations.

It was moved by Senator Vancrum and seconded by Senator Brady that the FY93 report and FY94 subcommittee report as amended be adopted.

Senator Kerr offered a substitute motion which was seconded by Senator Salisbury to amend the FY94 report by adding an item to express the Senate Committee's support of the continuation of existing juvenile offender

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on March 24, 1993.

programs at the FY93 level. Senator Kerr expressed his opinion that there was sufficient funding within the community corrections grants to support juvenile community corrections at the current year's level. Secretary Stotts, Department of Corrections, stated that the priority of the Department is adult felony programs which he would fund ahead of juvenile programs unless otherwise directed. He noted that the Legislature last year had appropriated monies to SRS for day reporting and expressed the Department's opinion that the decision should be made as to whether juvenile corrections should be within community corrections and administered by the Department of Corrections or whether those programs should be the responsibility of SRS. Members expressed concern that the Department of Social and Rehabilitation Services had not yet implemented juvenile offender programs and noted that this issue would be addressed during review of the SRS appropriations bill. The Secretary noted that with passage of this substitute motion, he would set aside the amount appropriated for juvenile offender programs, which could force him to draw a line on other programs for adult offenders. He told members that the \$800,000 carryover is money that has already been granted to counties to fund future program costs. The motion carried on a voice vote.

It was moved by Senator Vancrum and seconded by Senator Brady that the FY93 report and the FY94 subcommittee report as amended be adopted. The motion carried on a voice vote.

### **TOPEKA CORRECTIONAL FACILITY (Attachment 4)**

Senator Vancrum reviewed the FY93 and FY94 subcommittee reports. It was moved by Senator Vancrum and seconded by Senator Brady that the reports be adopted. The motion carried on a voice vote.

### **WINFIELD CORRECTIONAL FACILITY (Attachment 5)**

### **LARNED CORRECTIONAL MENTAL HEALTH FACILITY (Attachment 6)**

Senator Morris reviewed the FY93 and FY94 subcommittee reports for these facilities. It was moved by Senator Morris and seconded by Senator Karr that the reports be adopted. The motion carried on a voice vote.

### **HUTCHINSON CORRECTIONAL FACILITY (Attachment 7)**

### **NORTON CORRECTIONAL FACILITY (Attachment 8)**

### **EL DORADO CORRECTIONAL FACILITY (Attachment 9)**

The subcommittee reports for Hutchinson, Norton and El Dorado correctional facilities were presented by Senator Salisbury. It was moved by Senator Salisbury and seconded by Senator Petty that the reports be adopted. The motion carried on a voice vote.

Senator Brady moved, Senator Moran seconded, that HB 2048 as amended be recommended favorable for passage. The motion carried on a roll call vote.

### **APPROVAL OF MINUTES**

It was moved by Senator Salisbury and seconded by Senator Vancrum that the minutes of the March 19, 1993 meeting be approved. The motion carried on a voice vote.

### **SB 317 -- RESOURCE DETERMINATION FOR MEDICAL ASSISTANCE PURPOSES**

The Chairman noted that this bill was heard on March 10, 1993 and asked the wishes of the members. The proposed amendment offered by the Department of Social and Rehabilitation Services was distributed (Attachment 10). It was moved by Senator Rock and seconded by Senator Salisbury that SB 317 be amended by inclusion of the balloon in Attachment 10. The motion carried on a voice vote.

Senator Rock moved and Senator Brady seconded that SB 317 as amended be recommended favorable for passage. The motion carried on a roll call vote.

### **SB 318 -- RECOVERY OF MEDICAL ASSISTANCE PAID AND CREATING LIEN THEREFOR**

SB 318 was also heard on March 10, 1993. Because of concern regarding the dispensing of a notice requirement which would create a lien on a third party recovery and because the recovery costs were reported to be low, members preferred not to act on SB 318.

### **SB 288 -- INTEREST CHARGES ON LATE PAYMENT AND PAYMENT TO STATE BOARD OF EDUCATION OF COMMUNITY COLLEGE OUT-DISTRICT TUITION**

Senator Brady distributed an amendment to SB 288 (Attachment 11) and explained that it would continue to

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on March 24, 1993.

provide that counties pay the community colleges for out-district tuition. In the event the county does not pay within 30 days, the community college turns the bill over to the State Board. The community college then has 14 days upon receipt of the notice to pay the amount due. Senator Brady stated that this procedure enacts the set aside law, which provides for the payment of any unpaid bills out of any resources the county would be entitled to. Senator Brady moved, Senator Karr seconded that SB 288 be amended by inclusion of the balloon (Attachment 11). The motion carried on a voice vote.

It was moved by Senator Brady and seconded by Senator Moran that SB 288 as amended be recommended favorable for passage. The motion carried on a roll call vote.

### **SB 386 -- STATE EDUCATIONAL INSTITUTION BUILDING CONSTRUCTION AND REPAIR FROM PRIVATE MONEYS**

The Chairman reminded members that SB 386 had been heard on March 12, 1993. The revisor reviewed proposed amendments written to address concerns expressed by the Committee (Attachment 12). Senator Vancrum moved, Senator Kerr seconded that the balloon (Attachment 12) be amended by deleting the words "remodeling or renovations" and inserting in their place the words "and improvements" in the third line of the proposed amendment to line 43, and by limiting the capital improvement projects to projects under \$500,000 at the University of Kansas Medical Center; and that SB 386 be amended by the inclusion of the amended balloon. The motion carried on a voice vote.

Senator Moran moved and Senator Lawrence seconded that SB 386 as amended be recommended favorable for passage. The motion carried on a roll call vote.

The Chairman adjourned the meeting at 1:10 P.M.

The next meeting is scheduled for March 25, 1993.

## GUEST LIST

COMMITTEE: SENATE WAYS AND MEANS

DATE: March 24, 1993

[illegible]



# SUBCOMMITTEE REPORT

Agency: Lansing Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Mills

Analysis Pg. No. 480

Budget Page No. 410

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 27,751,863	\$ 27,259,941	\$ --
Capital Improvements	1,263,292	1,263,292	--
TOTAL	<u>\$ 29,015,155</u>	<u>\$ 28,523,233</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 27,711,863	\$ 27,216,710	\$ --
Capital Improvements	--	--	--
TOTAL	<u>\$ 27,711,863</u>	<u>\$ 27,216,710</u>	<u>\$ --</u>
FTE Positions	724.0	724.0	--

## Agency Estimate/Governor's Recommendation

The agency's FY 1993 revised estimate for operating expenditures is \$27,751,863 which is \$27,545 less than the approved budget of \$27,779,408. For FY 1993, the agency assumes an average daily inmate population (ADP) of 1,563 (1,488 at the Lansing Correctional Facility and 75 at the Osawatomie Correctional Facility), which is an increase of 49 over the actual ADP for FY 1992 of 1,514 (1,438 at Lansing and 76 at Osawatomie). The FY 1993 budget is based on 724.0 FTE positions (692.0 at Lansing and 32.0 at Osawatomie).

The Governor's recommendation for operating expenditures in FY 1993 is \$27,259,941, a reduction of \$491,922 from the agency estimate. The reductions are found in salaries and wages (\$40,220), contractual services (\$131,640), and commodities (\$320,062). The salaries and wages recommendation of \$21,498,999 will support 724.0 FTE positions, the number currently authorized. The Governor's recommendation supports an ADP of 1,490 inmates (1,415 at Lansing and 75 at Osawatomie). The Governor also recommends \$1,263,292 in FY 1993 for several capital improvement projects.

## House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

## House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

SWAM  
March 24, 1993  
Attachment 1

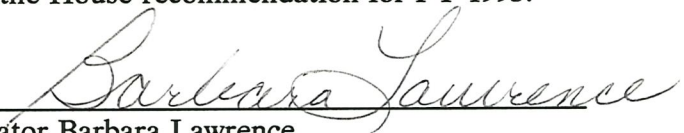
### House Recommendation

The House concurs with the House Committee recommendation for FY 1993.


<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 27,259,941	\$ --
Capital Improvements	--	1,263,292	--
Total	<u>\$ --</u>	<u>\$ 28,523,233</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 27,216,710	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 27,216,710</u>	<u>\$ --</u>
FTE Positions	--	724.0	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1993.

  
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Senator Barbara Lawrence  
Subcommittee Chair

  
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Senator Dave Kerr

  
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Senator Richard Rock

# SUBCOMMITTEE REPORT

**Agency:** Lansing Correctional Facility

**Bill No.** 2048

**Bill Sec.** 5

**Analyst:** Mills

**Analysis Pg. No.** 480

**Budget Page No.** 410

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 30,251,003	\$ 28,320,423	\$ --
Capital Improvements	--	--	--
TOTAL	<u>\$ 30,251,003</u>	<u>\$ 28,320,423</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 30,206,003	\$ 28,273,890	\$ --
Capital Improvements	--	--	--
TOTAL	<u>\$ 30,206,003</u>	<u>\$ 28,273,890</u>	<u>\$ --</u>
FTE Positions	752.0	724.0	

## Agency Request/Governor's Recommendation

For FY 1994, the agency requests \$30,251,003 for operating expenditures. Funding is requested at \$30,206,003 from the State General Fund and \$45,000 from the agency's General Fees Fund. The FY 1994 request includes funding for 752.0 FTE positions, a net increase of 28.0 positions over the 724.0 approved for the current year. The FY 1994 request is based on an ADP of 1,585 (1,510 at Lansing and 75 at Osawatomie), which is an increase of 22 over the ADP of 1,563 in FY 1993. The FY 1994 request includes no capital improvement projects.

The Governor's recommendation for operating expenditures in FY 1994 is \$28,320,423, a reduction of \$1,930,580 from the agency request. The reductions are found in salaries (\$929,121), contractual services (\$118,346), commodities (\$306,253), and capital outlay (\$576,860). The net change in operating expenditures from the current year to the budget year is an increase of \$1,060,482 or 3.9 percent. The recommendation for FY 1994 supports an ADP of 1,478 (1,403 at Lansing and 75 at Osawatomie) and 724.0 positions. No funding for the 28.0 requested new positions is recommended or for the requested reclassifications.

## House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following observations:

1. The House Subcommittee notes that the agency had requested a shrinkage rate of 3.5 percent (or a reduction of \$845,147) in FY 1994; the shrinkage rate set by the Governor's recommendation is 4.8 percent (or a reduction of \$1,126,964), a

difference of \$281,817. The Subcommittee is concerned that, should any across-the-board reductions be made later in the 1993 Session, the agency may have to leave an unacceptable number of positions vacant in order to meet the budgeted shrinkage rate.

2. One issue which has been considered by the Legislature for the past five years relates to the wastewater treatment plant, which was constructed as a joint venture by the City of Lansing and the correctional facility. Last year's Subcommittee report on the Lansing budget contained the following passage:

"The City of Lansing has also attempted to implement a "surcharge" on the sewer rates paid by LCF to the city. Since FY 1989, the city has requested state payment for a portion of the improvements at the wastewater treatment plant which is operated by the city and is located on state-owned land at the facility. The correctional facility uses about 37 percent of the plant's capacity. The Department had requested such funding in both FY 1991 (\$275,000) and FY 1992 (\$365,000). The Governor's recommendation for FY 1992 included \$236,884 of the pretreatment/screening portion of the project, which funding was approved by the 1991 Legislature. Funding for the other portions (sludge handling and engineer's fees) of the project, already undertaken by the city, have never been recommended by a Governor or approved by the Legislature. The legal staff of the Department of Corrections have reviewed the 1981 lease agreement between the City of Lansing and the Department and have found no provision requiring the Department to have any responsibility for enlargement of the wastewater treatment plant or other additional costs. The city has also presented this as a claim to the Joint Committee on Special Claims, but the claim was denied.

"Beginning in January, 1992 the City of Lansing has attempted to place a "surcharge" of \$717.95 per month on the LCF sewer bill. The "surcharge" is to pay off a total of \$94,770 over an 11-year period, which is claimed to be the state's share of the costs for the sludge processing improvements undertaken by the city. The Senate Subcommittee expressly states that there is no funding in the FY 1992 or FY 1993 budgets of LCF for this payment and that no funds should be expended to pay this purported "surcharge."

The Lansing facility has not paid this "surcharge," even though it appears on each monthly bill. The city has now taken the position that the correctional facility is in arrears on its sewer bill, and the city is now attempting to place a lien on the correctional facility to secure payment of the "surcharge." The House Subcommittee notes that the Legislature has spoken on at least five occasions to deny any of the funding requested by the city. The House Subcommittee believes that this dispute should be resolved and, therefore, suggests that the Secretary of Corrections attempt to find a suitable resolution to this issue. No state funds, however, should be expended to pay the purported "state's share" of the expansion project.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1994.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 28,320,423	\$ 35,000
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 28,320,423</u>	<u>\$ 35,000</u>
State General Fund:			
State Operations	\$ --	\$ 28,273,890	\$ 35,000
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 28,273,890</u>	<u>\$ 35,000</u>
FTE Positions	--	724.0	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1994, with the following adjustments:

1. Add \$35,000 (SGF) for inmate and maintenance staff clothing to meet an expected shortfall in funding. the agency had estimated a shortfall of \$42,506 in clothing; the Governor's recommendation for clothing is \$231,903. The agency stated that the FY 1992 clothing expenditures were understated because they had been able to purchase a supply of clothing through surplus property at very favorable prices. Clothing at these prices is not expected to be available in the future, although the Governor's recommendation for FY 1993 and FY 1994 is based on the FY 1992 costs.
2. The Senate Subcommittee is also concerned that the budgeted shrinkage rate may force the agency to leave important security positions vacant. The Senate Subcommittee strongly supports the salaries and wages pool in the Department of Corrections as a tool to help the correctional facilities meet security salaries needs, and recommends that the salaries and wages pool be increased above the \$350,000 recommended by the Governor in FY 1994.



The Senate Subcommittee recommends that the appropriation bill (H.B. 2048) be amended to allow the Secretary of Corrections to move funding from the facilities into the salaries and wages pool. In this manner any savings at one facility could be used to increase the pool. (The Secretary is currently authorized to move funds between the correctional facilities.) A history of the DOC salaries and wages pool is shown below:

	<u>Approp.</u>	<u>Reapprop.</u>	<u>Total</u>	<u>Expend.</u>
FY 1992	\$ 445,500	\$ --	\$ 445,500	\$ 250,000
FY 1993	396,000	193,545	589,545	--
FY 1994 (Gov. Rec.)	350,000	--	350,000	--

3. The Senate Subcommittee notes that the nine corrections budgets are split up among four Senate subcommittees for budget review. The Subcommittee expresses the concern that there is almost no coordinate among the four subcommittees on issues which affect these budgets on a systemwide basis, such as the salary shrinkage rates. The Subcommittee recommends that, in the future, these four subcommittees develop a method for better coordination and the development of systemwide recommendations in appropriate areas.

  
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Senator Barbara Lawrence

  
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Senator Dave Kerr

  
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Senator Richard Rock

# SUBCOMMITTEE REPORT

Agency: Ellsworth Correctional Facility

Bill No. --

Bill Sec. --

Analyst: Mills

Analysis Pg. No. 454

Budget Page No. 196

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 7,344,044	\$ 7,327,797	\$ --
Capital Improvements	55,981	55,981	--
Total	<u>\$ 7,400,025</u>	<u>\$ 7,383,778</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 7,331,945	\$ 7,315,698	\$ --
Capital Improvements	--	--	--
Total	<u>\$ 7,331,945</u>	<u>\$ 7,315,698</u>	<u>\$ --</u>
FTE Positions	185.5	185.5	--

## Agency Estimate/Governor's Recommendation

The Ellsworth Correctional Facility, which was originally approved by the 1986 Legislature, is currently operational with a capacity of 584 inmates. The facility was constructed through a 15-year lease/purchase agreement with the Ellsworth Public Building Commission, and later with the Kansas Development Finance Authority; the approved project budget was \$19.8 million. The agency estimate for FY 1993 is \$7,344,044, an amount which is \$98 above the approved budget. The difference is caused by the receipt of a small federal library grant in FY 1993. The agency revised estimate will continue to support the 185.5 FTE positions currently approved and assumes an average daily inmate population of 575 for FY 1993.

The Governor's recommendation for operating expenditures in FY 1993 is \$7,327,797, a reduction of \$16,247 from the agency estimate. The reductions are found in salaries and wages (\$3,666), contractual services (\$1,026), and commodities (\$11,555). The salaries and wages recommendation of \$5,446,838 will support 185.5 FTE positions, the number currently authorized. The Governor's recommendation supports an ADP of 575 inmates and the 185.5 positions authorized. The Governor also recommends, in the budget of the Department of Corrections, a total of \$1,854,000 for debt service on the facility.

## House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

SWAM  
march 24, 1993  
Attachment 2

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1993.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 7,327,797	\$ --
Capital Improvements	--	55,981	--
Total	<u>\$ --</u>	<u>\$ 7,383,778</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 7,315,698	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 7,315,698</u>	<u>\$ --</u>
FTE Positions	--	185.5	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs.

  
\_\_\_\_\_  
Senator Barbara Lawrence  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Dave Kerr

  
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Senator Richard Rock

## SUBCOMMITTEE REPORT

**Agency:** Ellsworth Correctional Facility

**Bill No.** 2048

**Bill Sec.** 6

**Analyst:** Mills

**Analysis Pg. No.** 454

**Budget Page No.** 196

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 8,331,655	\$ 7,631,573	\$ --
Capital Improvements	--	30,000	(30,000)
Total	<u>\$ 8,331,655</u>	<u>\$ 7,661,573</u>	<u>\$ (30,000)</u>
State General Fund:			
State Operations	\$ 8,319,655	\$ 7,619,573	\$ --
Capital Improvements	--	--	--
Total	<u>\$ 8,319,655</u>	<u>\$ 7,619,573</u>	<u>\$ --</u>
FTE Positions	205.5	185.5	--

### Agency Request/Governor's Recommendation

The agency request for FY 1994 for state operations totals \$8,331,655, of which \$8,319,655 is from the State General Fund and \$12,000 is from the agency's General Fees Fund. The FY 1994 request contains salaries and wages funding of \$6,337,536 which would support 205.5 FTE positions, an increase of 20.0 FTE positions over the 185.5 approved for FY 1993. The budget is based on an average daily inmate population (ADP) of 575, the same as the level for FY 1993. The Department of Corrections indicates that a total of \$1,855,590 will be needed for debt service in FY 1994 on the bonds issued for the construction of this facility. Funding in that amount is requested in the budget of the Department of Corrections.

The Governor's recommendation for operating expenditures in FY 1994 is \$7,631,573, a reduction of \$700,082 from the agency request. The reductions are found in salaries and wages (\$637,047), contractual services (\$1,062), commodities (\$36,213), and capital outlay (\$25,760). The net change from the current year to the budget year is an increase of \$303,776 or 4.1 percent. The recommendation for FY 1994 supports an ADP of 575 and 185.5 positions. No funding for the 20.0 new positions requested is recommended. The Governor's recommendation does include funding of \$1,856,000, in the budget of the Department of Corrections, for debt service on the outstanding bonds.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following recommendations:

1. The House Subcommittee notes that the agency had requested a shrinkage rate of 2.5 percent (or a reduction of \$162,501) for FY 1994; the shrinkage rate set by the Governor's recommendation is 4.0 percent (or a reduction of \$237,521), a difference of \$75,020. The Subcommittee is concerned that, should any across-the-board reductions be made later in the 1993 Session, the agency may have to leave an unacceptable number of positions vacant in order to meet the budgeted shrinkage rate.
2. Reduction of \$30,000 (CIBF) which was recommended by the Governor for a capital improvement project to construct a storage building. The Joint Committee on State Building Construction has recommended that this project be considered for funding from the rehabilitation and repair funds of the Department of Corrections.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1994.


<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 7,631,573	\$ 32,700
Capital Improvements	(30,000)	--	--
Total	<u>\$ (30,000)</u>	<u>\$ 7,631,573</u>	<u>\$ 32,700</u>
State General Fund:			
State Operations	\$ --	\$ 7,619,573	\$ 32,700
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 7,619,573</u>	<u>\$ 32,700</u>
FTE Positions	--	185.5	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation, with the following adjustments:



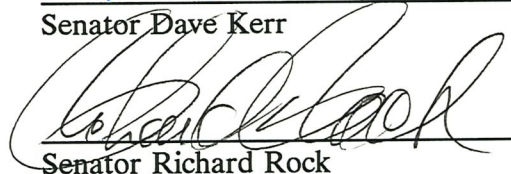
1. Addition of \$4,000 (SGF) for agricultural supplies to allow the Warden to develop a vegetable garden inside the perimeter of the Ellsworth facility. The warden stated that a garden would provide additional inmate jobs, as well as food items for the facility.
2. Addition of \$28,700 (SGF) for inmate gratuity or "gate" pay. Gratuity pay is a statutory payment of \$100 each to inmates released from a correctional facility. The Governor had recommended a total of \$32,300 in FY 1994, based on the release of 323 inmates at \$100 each. However, the Ellsworth facility is averaging 40 inmate releases each month so far in FY 1993. For FY 1994, the agency projects the release of 50 inmates each month, for a total of 600. The Senate Subcommittee recommendation provides a total of \$61,000 for gate pay, which would allow for the release of 610 inmates at \$100 each. The Warden stated that the Sentencing Guidelines Act will increase the number of inmates released in FY 1994.



Senator Barbara Lawrence  
Subcommittee Chair



Senator Dave Kerr



Senator Richard Rock

# SUBCOMMITTEE REPORT

Agency: Department of Corrections

Bill No. 2087

Bill Sec. 15

Analyst: Mills

Analysis Pg. No. 420

Budget Page No. 148

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 53,211,043	\$ 50,513,943	\$ --
Aid to Local Units	14,114,379	13,817,976	(800,000)
Other Assistance	--	--	--
Subtotal -- Operating	\$ 67,325,422	\$ 64,331,919	\$ (800,000)
Capital Improvements	9,626,374	11,031,374	--
Total	\$ 76,951,796	\$ 75,363,293	\$ (800,000)
State General Fund:			
State Operations	\$ 43,027,705	\$ 40,393,856	\$ --
Aid to Local Units	13,664,379	13,367,976	(800,000)
Other Assistance	--	--	--
Subtotal -- Operating	\$ 56,692,084	\$ 53,761,832	\$ (800,000)
Capital Improvements	3,250,000	4,655,000	--
Total	\$ 59,942,084	\$ 58,416,832	\$ (800,000)
FTE Positions	370.0	370.0	--

## Agency Estimate/Governor's Recommendation

The agency's revised FY 1993 estimate totals \$67,325,422 for operating expenditures, compared to the approved operating budget of \$66,651,272. The FY 1993 estimate will support 370.0 FTE positions. The agency's revised estimate for aid to local units of government for community corrections grants (\$12,724,462) and the Labette Conservation Camp grant (\$1,389,917) totals \$14,114,379, compared to the actual FY 1992 expenditure of \$10,357,029. The revised FY 1993 estimate includes \$15,684,544 for inmate medical and mental health care, and \$9,642,810 for the various offender programs. The agency is requesting FY 1993 supplemental funding of \$252,920 for the inmate medical and mental health contract, and \$197,584 in supplemental funding for the Labette Correctional Conservation Camp. The FY 1993 budget also includes a salaries and wage pool of \$589,545 to be spent at the discretion of the Secretary of Corrections for security staff salaries. The agency estimate for FY 1993 also includes \$16,088,498 (All Funds) for various capital improvement projects. Included in the FY 1993 estimate is \$3,955,466 for major maintenance and repairs; \$2.0 million to construct a new facility for female inmates; \$6,462,124 for interest payments on the debt service on the new correctional facilities at El Dorado, Larned, Ellsworth, and Wichita; and \$3,250,000 for principal payments on the debt service for the new facilities.

The Governor's recommendation for operating expenditures in FY 1993 is \$64,331,919, which is a reduction of \$2,993,503 from the agency revised estimate. The reductions are found in

SWAM  
March 24, 1993  
Attachment 3

salaries (\$81,150), contractual services (\$121,219), commodities (\$5,523), aid to local units (\$296,403), and debt service (\$2,489,208). Of the recommended operating expenditure, \$53,761,832 is from the State General Fund and \$10,570,087 is from other funds. The Governor also recommends \$13,817,976 in aid to local units for Community Corrections Act grants (\$12,436,998) and an operating grant for the Labette Correctional Conservation Camp (\$1,380,978). The Governor recommends funding of \$9,623,480 for the various inmate and offender programs, and \$15,587,450 for inmate medical and mental health care. The Governor recommends FY 1993 supplemental funding of \$155,826 for inmate medical and mental health care, and \$188,645 in supplemental funding for the Labette Conservation Camp. The Governor recommends a total of \$15,004,290 for various capital improvement projects (\$6,376,374) and debt service (\$8,627,916). The Governor's recommendation will support 370.0 FTE positions.

### **House Subcommittee Recommendation**

The House Subcommittee concurs with the Governor's recommendation for FY 1993, with the following additional recommendations:

1. The House Subcommittee concurs with the item in Budget Amendment No. 1 which recommends the shift of \$800,000 (SGF) in community corrections grants funding from FY 1993 to FY 1994. The thrust of this reduction in FY 1993 is to force the local community corrections programs to spend unexpended funds in their accounts which have carried forward from prior years' grants. (A similar shift of \$1.0 million was made in FY 1992 in order to reduce the unexpended balances in local program accounts.) With this shift, the approved level of community corrections grants funding will be \$11,636,998 in FY 1993.
2. The House Subcommittee reviewed and concurs with the FY 1993 supplemental funding of \$188,645 (SGF) which the Governor recommended for the Labette Correctional Conservation Camp to meet operating expenditures. This would provide a total grant of \$1,380,978 for the camp in FY 1993. The House Subcommittee was advised that the Labette camp has experienced difficulty in securing medical care for its inmates. The Subcommittee urges the Secretary of Corrections to approach the private vendor which provides medical care for DOC inmates to determine whether it would be feasible for the vendor to offer medical care services to the Labette camp. Also, when the state medical contract is re-bid next year, inclusion of the Labette camp should be made an option.
3. Shift of \$155,826 (SGF) which the Governor had recommended as a supplemental appropriation for the inmate medical program to a new program to conduct tuberculosis testing and hepatitis B vaccinations for DOC staff. The Secretary of Corrections stated that, on the basis of more recent data, the additional funding for the inmate medical program will not be needed. However, the Secretary requested that the funding be shifted to allow for this new program of T.B. testing and hepatitis vaccinations for about 2,640 DOC employees. Also, shift \$79,000 from inmate programs to provide additional funding for this new program.

## House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

## House Recommendation

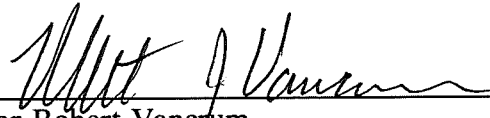
The House concurs with the House Committee recommendation for FY 1993.

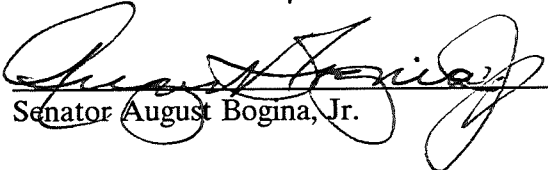
<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 50,513,943	\$ (169,826)
Aid to Local Units	(800,000)	13,017,976	--
Other Assistance	--	--	--
Subtotal -- Operating	\$ (800,000)	\$ 63,531,919	\$ (169,826)
Capital Improvements	--	11,031,374	--
Total	<u>\$ (800,000)</u>	<u>\$ 74,563,293</u>	<u>\$ (169,826)</u>
State General Fund:			
State Operations	\$ --	\$ 40,393,856	\$ (169,826)
Aid to Local Units	(800,000)	12,567,976	--
Other Assistance	--	--	--
Subtotal -- Operating	\$ (800,000)	\$ 52,961,832	\$ (169,826)
Capital Improvements	--	4,655,000	--
Total	<u>\$ (800,000)</u>	<u>\$ 57,616,832</u>	<u>\$ (169,826)</u>
FTE Positions	--	370.0	--

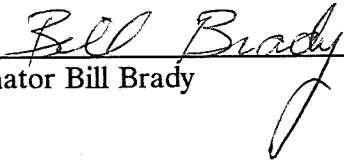
## Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation, with the following adjustment:

1. Reduction of \$169,826 from the \$234,826 (SGF) recommended by the House in FY 1993 for implementation of a program of Hepatitis B vaccinations and T.B. testing for DOC staff. The Senate Subcommittee recommendation would leave \$65,000 available to implement Phase I of the program, under which about 740 DOC staff who have daily, direct contact with inmates will be vaccinated. These positions selected for Phase I include job classes with a high risk of exposure which have daily contact with inmates in an industrial or agricultural environment where inmates and staff operate equipment or tools. These Phase I positions include selected corrections officer positions, mechanics, food service supervisors, laundry managers, maintenance and repair technicians, storekeepers, etc.

  
\_\_\_\_\_  
Senator Robert Vancrum

  
\_\_\_\_\_  
Senator August Bogina, Jr.

  
\_\_\_\_\_  
Senator Bill Brady



# SUBCOMMITTEE REPORT

Agency: Department of Corrections

Bill No. 2048

Bill Sec. 2

Analyst: Mills

Analysis Pg. No. 420

Budget Page No. 148

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 58,403,493	\$ 54,334,944	\$ --
Aid to Local Units	18,975,980	13,830,369	800,000
Other Assistance	--	--	--
Subtotal -- Operating	\$ 77,379,473	\$ 68,165,313	\$ 800,000
Capital Improvements	11,114,393	9,690,000	(625,000)
Total	\$ 88,493,866	\$ 77,855,313	\$ 175,000
State General Fund:			
State Operations	\$ 47,293,470	\$ 42,281,309	\$ 1,089,000
Aid to Local Units	18,525,980	13,380,369	800,000
Other Assistance	--	--	--
Subtotal -- Operating	\$ 65,819,450	\$ 55,661,678	\$ 1,889,000
Capital Improvements	4,900,230	3,740,000	625,000
Total	\$ 70,719,680	\$ 59,401,678	\$ 2,514,000
FTE Positions	385.5	371.0	--

## Agency Request/Governor's Recommendation

The agency's operating budget request for FY 1994 totals \$77,379,473, an increase of \$10,054,051 over the FY 1993 revised estimate. In state operations, the agency requests funding of \$231,390 (excluding fringe benefits) for 16.0 new positions: 3.0 new computer programmer positions for Information Systems (\$84,083), 10.0 new staff for the new DOC Training Center at Marymount (\$79,555), and 3.0 Corrections Industries Manager positions for Kansas Correctional Industries (\$67,752). The Department requests \$17,247,973 for aid to local units of government for the Community Corrections Act grants to counties, and \$1,728,007 for the grant to the Labette Correctional Conservation Camp. The FY 1994 request includes \$16,778,107 for inmate medical and mental health care and \$11,159,705 for the various offender programs. For capital improvements in FY 1994, the Department requests \$17,389,517, of which \$10,676,230 is from the State General Fund, \$6,214,163 is from the Correctional Institutions Building Fund (CIBF), and \$499,124 is from special revenue funds. Of the capital improvement request, \$5,514,163 is for major maintenance and rehabilitation of facilities, \$320,000 is for planning for a new Reception and Diagnostic Unit, \$700,000 is for construction of a new facility for female inmates, \$1,125,230 is to refurbish Marian Hall at Marymount College, and \$9,730,124 is for debt service on the following projects: the new Larned (\$1,721,050) and El Dorado facilities (\$5,978,000), the Ellsworth Correctional Facility (\$1,855,590), and the renovated Wichita Work Release Facility (\$175,484). Of the total debt service of \$9,730,124, the amount of \$6,275,124 is for interest payments and \$3,455,000 is for principal payments.

The Governor's recommendation for operating expenditures in FY 1994 is \$68,165,313, which is a reduction of \$9,214,160 from the agency request. The reductions are found in contractual services (\$2,459,590), commodities (\$91,611), capital outlay (\$401,030), debt service (\$1,125,124), and aid to local units (\$5,145,611), with an offsetting increase in salaries (\$8,806). The net change from the current year to the budget year in operating expenditures is an increase of \$3,833,394 or 6.0 percent. Of the recommended operating expenditure, \$56,750,678 is from the State General Fund and \$11,414,635 is from other funds. The Governor also recommends \$13,830,369 in aid to local units for Community Corrections Act grants (\$12,394,391) and an operating grant for the Labette Correctional Conservation Camp (\$1,435,978). The Governor recommends \$16,656,983 for inmate medical and mental health care and \$9,514,244 for the various inmate and offender programs. The Governor also recommends a total of \$14,840,000 for various capital improvement projects (\$5,325,000) and debt service (\$9,515,000). The capital improvement projects include major maintenance and rehabilitation projects (\$4.5 million), a program statement for a new Reception and Diagnostic Unit (\$125,000), and the multiyear project to construct a new facility for female inmates (\$700,000). The Governor's recommendation will support 371.0 FTE positions, a net increase of 1.0 from the 370.0 approved for the current year. The net increase of 1.0 position is the result of the elimination of 2.0 positions associated with the State Community Corrections Board and the creation of 3.0 new positions in Correctional Industries.

#### **House Subcommittee Recommendation**

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following additional recommendations:

1. The House Subcommittee concurs with the item in Budget Amendment No. 1 which recommends the shift of \$800,000 (SGF) in community corrections grants funding from FY 1993 to FY 1994. The thrust of this reduction in FY 1993 is to force the local community corrections programs to spend unexpended funds in their accounts which have carried forward from prior years' grants. (A similar shift of \$1.0 million was made in FY 1992 in order to reduce the unexpended balances in local program accounts.) With this shift, a total of \$13,194,391 will be available for community corrections grants in FY 1994.
2. The Governor recommends and the House Subcommittee concurs with the transfer of \$100,000 from the Correctional Industries Fund to the State General Fund in FY 1994 to continue the repayment of the \$1.3 million loan which was made by the 1989 Legislature. The agency requests that the transfer be shifted from July 1, 1993 to another date (such as January 15) to eliminate cashflow problems, as the Fund is typically at its lowest levels in July and August. The House Subcommittee concurs with the request to move the transfer to January 15, 1994.

The agency requests that the Correctional Industries Fund, which finances the industries program, be appropriated as a "no-limit" fund, in order to provide additional flexibility in the purchase of raw materials and the amount of product sales. The Governor did not concur with this request. The House Subcommittee recommends that the appropriation bill be modified to make the Industries Fund a no-limit fund.

3. The Governor recommends no funding for the State Community Corrections Board in FY 1994 (agency request \$70,358 and 1.5 positions). The budget documentation states that this recommendation is based on the upcoming consolidation of correctional field services. The House Subcommittee concurs in the Governor's recommendation to provide no funding for this board.
4. The Governor recommends the salaries and wages pool at \$350,000 in FY 1994. The 1991 Legislature approved \$445,000 for this pool, and the 1992 Legislature approved \$396,000 for the pool. The House Subcommittee supports the concept of the salaries and wages pool in order to help the correctional facilities meet their budgeted shrinkage rates. Also, the House Subcommittee recommends that any balances in the pool at the end of FY 1993 be reappropriated to FY 1994.
5. The *Governor's Budget Report* recommends that (on a one-time basis) the FY 1994 debt service payment for the Ellsworth facility be partially financed by a payment of \$1.714 million from the CIBF. This would be the first use of the CIBF for debt service. The Joint Committee on State Building Construction has recommended that this debt service payment be shifted back to the State General Fund (as are the other DOC debt service payments). The House Subcommittee concurs with the recommendation to fund this item from the State General Fund.
6. In the fall of 1992, the financing of the El Dorado and Larned facilities was restructured through a new KDFA bond issue. The new bond issue of \$75.37 million is to refinance the existing debt of the two bonds and the PMIB loan which previously financed the construction of these facilities. Because of federal regulations relating to the refinancing of existing debt, a total of \$426,519 of the approximately \$25 million borrowed from the PMIB could not be included in the debt refinancing. The Governor recommends that this \$426,519 be paid back to the State General Fund in FY 1994 with a transfer from the CIBF. The House Subcommittee concurs with the recommendation of the Joint Committee on State Building Construction that this transfer be made in FY 1994 to retire this prior debt.
7. As recommended by the Joint Committee on State Building Construction, reduction of \$625,000 which had been recommended for two capital improvement projects. This reduction is necessary to maintain the solvency of the Correctional Institutions Building Fund. The House Subcommittee recommendation reduces \$500,000 from the FY 1994 appropriation for the Department's rehabilitation and repair funds, leaving a total of \$4.0 million for this fund. Also, the recommendation deletes \$125,000 which had been recommended by the Governor for a program statement for a new Reception and Diagnostic Unit. The Subcommittee suggests that the Secretary fund this item from the rehabilitation funds, if the Secretary wishes to prepare the statement.
8. The House Subcommittee was advised that the Department of Corrections is currently completing security audits and a post analysis for all the correctional facilities; these management initiatives should be completed soon. The Subcommittee commends the Department for these efforts and believes that the post analysis and security audits will assist the Department and the Legislature

in evaluating staffing needs and related capital improvement projects in the future.

9. The House Subcommittee also commends the Department for two cost-savings initiatives: establishment of a centralized menu for food service at all the correctional facilities, and the bidding of a natural gas contract for the correctional facilities.

During FY 1992, the Department of Corrections established a centralized menu which standardized food servings and portion size. The centralized menu was a factor in the reduction of the systemwide average cost per meal from \$0.98 in FY 1991 to \$0.92 in FY 1992.

On July 23, 1992, a contract was awarded to a natural gas supply company for the acquisition and interstate transportation of natural gas supplies for the correctional facilities. Because some of the correctional facilities had to negotiate contracts with local utility companies to transport the gas from the interstate pipeline to the facility, the actual date of the application of the contract's provisions to each facility varied. For the current fiscal year, two correctional facilities reduced expenditures for natural gas by a total of approximately \$92,000. As additional experience under the contract is gained, additional savings should be realized.

10. The Governor's recommendation for FY 1994 includes a total of \$135,000 (on a systemwide basis) to implement a new video imaging system for inmate and employee ID badges. The House Subcommittee supports the implementation of this new system as a security enhancement at the correctional facilities. However, the Subcommittee is aware that other state agencies (Revenue and SRS) are also interested in this video imaging system. The Subcommittee recommends that the Secretary of Corrections confer with other agency heads interested in this system to determine whether consolidated purchase of the equipment could result in cost savings.
11. The Subcommittee discussed the impact of FY 1994 systemwide budget reductions on the operations of the Department of Corrections and the correctional facilities. Each 1 percent reduction would reduce funding from the State General Fund by approximately \$1.5 million. The Secretary of Corrections provided the Subcommittee with written options regarding the methods of dealing with the budget reductions, which included:
  - a. reductions in the operating budgets of the correctional facilities, such as deferral of equipment purchases, reduction of food and clothing inventories, and reduced expenditures for maintenance materials and supplies;
  - b. reductions in amounts budgeted for the various offender programs;
  - c. reductions in funding for community corrections programs; or

- d. compressing the inmate population into fewer facilities and closing minimum custody facilities.

(Copies of the Secretary's written response are available.)

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1994.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 54,334,944	\$ (167,752)
Aid to Local Units	800,000	14,630,369	(9,600)
Other Assistance	--	--	--
Subtotal -- Operating	\$ 800,000	\$ 68,965,313	\$ (177,352)
Capital Improvements	(625,000)	9,065,000	--
Total	<u>\$ 175,000</u>	<u>\$ 78,030,313</u>	<u>\$ (177,352)</u>
State General Fund:			
State Operations	\$ 1,089,000	\$ 43,370,309	\$ (100,000)
Aid to Local Units	800,000	14,180,369	(9,600)
Other Assistance	--	--	--
Subtotal -- Operating	\$ 1,889,000	\$ 57,550,678	\$ (109,600)
Capital Improvements	625,000	4,365,000	--
Total	<u>\$ 2,514,000</u>	<u>\$ 61,915,678</u>	<u>\$ (109,600)</u>
FTE Positions	--	371.0	(3.0)

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation, with the following adjustments:

1. Reduction of \$100,000 (SGF) from the \$350,000 recommended by the Governor in FY 1994 for the salaries and wages pool, leaving a total of \$250,000 available for the Secretary of Corrections to meet security staff salaries in FY 1994. The



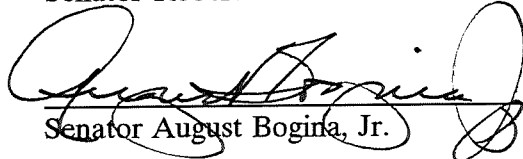
Senate Subcommittee notes that the issue of salary shrinkage at the correctional facilities has been a budgetary issue in recent years. Accurate historical data on shrinkage are not available because of the inflated shrinkage resulting from the opening of new facilities in recent years, and the use of forced shrinkage in some facilities to meet the budgeted rates. The Senate Subcommittee urges the Secretary of Corrections to develop a better methodology for projecting shrinkage at the facilities in order to allow for more precision in estimating the facilities' budgets. The Senate Subcommittee understands that this reduction in the FY 1994 salaries and wages pool may force the facilities to seek supplemental salaries funding, which can be reviewed by the 1994 Legislature.

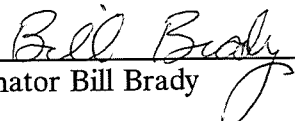
2. Reduction of \$9,600 (SGF) as an average daily inmate population (ADP) adjustment in the operating grant for the Labette Correctional Conservation Camp; with this reduction, the operating grant would total \$1,426,378 in FY 1994. The Senate Subcommittee notes that the Governor's recommendation for the camp is based on an ADP of 85 in FY 1993 and 91 in FY 1994. During budget review, the population at the camp was 55 inmates; the camp has a capacity for 104 inmates. The Subcommittee is aware that the camp's administrative board is currently expanding the criteria used to select inmates into the program in order to increase the inmate population; the Subcommittee supports these efforts to broaden the selection criteria.
3. Reduction of \$67,752 (Correctional Industries Fund) and 3.0 FTE new Industries Manager positions which were recommended by the Governor for FY 1994. The 3.0 new positions had been recommended to implement three new industries divisions in FY 1994: a roofing division, a sewing division, and a tele-service division. The Senate Subcommittee wishes to express its displeasure that the Kansas Correctional Industries (KCI) program continues to operate several unprofitable divisions which contribute nothing to the overall program. If KCI wishes to establish new programs, it should abolish the unprofitable ones and transfer the existing staff to the new programs. KCI recently abolished the asbestos abatement program, but transferred those Manager positions to other job classes.
4. Increase the FY 1994 transfer from the Correctional Industries Fund to repay the State General Fund from the \$100,000 recommended by the Governor to \$200,000. The Senate Subcommittee believes that this \$1.3 million loan should be repaid in a more timely manner than has been evidenced in past years.
5. Reimposition of an expenditure limitation on the Correctional Industries Fund for FY 1994. The House recommended that the fund be appropriated as a no-limit fund.
6. The Senate Subcommittee notes that the Governor's recommendation for FY 1994 includes a total of \$139,716 (SGF) spread through the various corrections budgets for computer equipment to allow the Unit Teams at the facilities to have direct access to the DOC central office computer. The Senate Subcommittee somewhat reluctantly concurs with this funding on the basis that increased computerization will lead to operating efficiencies which will reduce the need for staff. The Senate Subcommittee expects the Secretary, in the FY 1995 budget

submissions, to identify those staff positions which have been eliminated as a result of this computer initiative.

7. The Senate Subcommittee notes that the Governor's recommendation for FY 1994 includes a total of \$135,000 (SGF) spread through the various corrections budgets for computer equipment for a Video Imaging System to develop inmate and staff I.D. badges, and to maintain a central repository of inmate, staff, and visitor images in the central office. The Senate Subcommittee is not supportive of this initiative, and wishes to raise the issue for consideration by the full Committee.
8. The Senate Subcommittee is supportive of the abolition of the State Community Corrections Board, as recommended by the Governor and the House. The Senate Subcommittee notes that 1993 H.B. 2145 must pass to actually abolish the board.

  
\_\_\_\_\_  
Senator Robert Vancrum

  
\_\_\_\_\_  
Senator August Bogina, Jr.

  
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Senator Bill Brady

# SUBCOMMITTEE REPORT

**Agency:** Topeka Correctional Facility

**Bill No.** --

**Bill Sec.** --

**Analyst:** Mills

**Analysis Pg. No.** 517

**Budget Page No.** 566

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 11,906,357	\$ 11,848,884	\$ --
Capital Improvements	17,752	17,752	--
TOTAL	<u>\$ 11,924,109</u>	<u>\$ 11,866,636</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 11,830,520	\$ 11,773,047	\$ --
Capital Improvements	--	--	--
TOTAL	<u>\$ 11,830,520</u>	<u>\$ 11,773,047</u>	<u>\$ --</u>
FTE Positions	322.0	322.0	--

## Agency Estimate/Governor's Recommendation

The agency's FY 1993 estimated operating expenditures are \$11,906,357, which is \$2,417 less than the approved budget of \$11,908,774. The agency assumes an average daily inmate population (ADP) of 764 in FY 1993, reflecting the consolidation of the four facilities into one administrative unit. The agency includes funds for 322.0 FTE positions in FY 1993, a reduction of 6.8 positions from the 328.8 approved for FY 1992. The agency estimates expenditures from the General Fees Fund of \$20,000 in FY 1993.

The Governor's recommendation for operating expenditures for FY 1993 is \$11,848,884, a reduction of \$57,473 from the agency estimate. The reductions are found in salaries and wages (\$13,011), contractual services (\$1,267), and commodities (\$43,195). The salaries and wages recommendation of \$9,718,439 will support 322.0 FTE positions, the number currently authorized. The Governor's recommendation supports an ADP of 764.

## House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

## House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

SWAM  
March 24, 1993  
Attachment 4


### House Recommendation

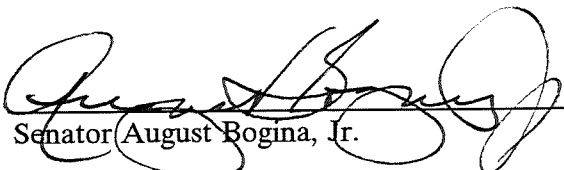
The House concurs with the House Committee recommendation for FY 1993.

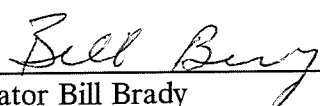
<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 11,848,884	\$ --
Capital Improvements	--	17,752	--
Total	<u>\$ --</u>	<u>\$ 11,866,636</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 11,773,047	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 11,773,047</u>	<u>\$ --</u>
FTE Positions	--	322.0	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1993.

  
\_\_\_\_\_  
Senator Robert Vancrum  
Subcommittee Chair

  
\_\_\_\_\_  
Senator August Bogina, Jr.

  
\_\_\_\_\_  
Senator Bill Brady

## SUBCOMMITTEE REPORT

**Agency:** Topeka Correctional Facility

**Bill No.** 2048

**Bill Sec.** 3

**Analyst:** Mills

**Analysis Pg. No.** 517

**Budget Page No.** 566

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 12,932,355	\$ 12,280,257	\$ --
Capital Improvements	--	277,264	(277,264)
TOTAL	<u>\$ 12,932,355</u>	<u>\$ 12,557,521</u>	<u>\$ (277,264)</u>
State General Fund:			
State Operations	\$ 12,857,438	\$ 12,205,340	\$ --
Capital Improvements	--	--	--
TOTAL	<u>\$ 12,857,438</u>	<u>\$ 12,205,340</u>	<u>\$ --</u>
FTE Positions	335.0	322.0	--

### Agency Request/Governor's Recommendation

For FY 1994, the agency requests \$12,932,355 for operating expenditures. The requested funding for the budget is almost entirely from the State General Fund (\$12,857,438), with the agency's General Fees Fund budgeted at \$17,000 and funding of \$57,917 from a community development block grant. The FY 1994 request includes 335.0 FTE positions, an increase of 13.0 FTE (attributed to the planned opening of the new maximum security facility for women at TCF during the last three months of FY 1994) from the current level of 322.0. The agency budget would support an ADP of 770, an increase of 6 over the 764 estimated for FY 1993. No capital improvement projects are requested.

The Governor's recommendation for operating expenditures in FY 1994 is \$12,280,257, a reduction of \$652,098 from the agency request. The reductions are found in salaries and wages (\$288,393), contractual services (\$24,868), commodities (\$207,420), and capital outlay (\$131,417). The net change in the operating budget from the current year to the budget year is an increase of \$431,373 or 3.6 percent. The recommendation for FY 1994 supports an ADP of 764 and 322.0 FTE positions. The Governor does recommend capital improvements funding of \$277,264 from the Correctional Institutions Building Fund for two projects: an expansion of the General Services Building (\$247,264) and the razing of the barn building (\$30,000).

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following additional recommendations:

1. Reduction of \$277,264 (CIBF) which had been recommended by the Governor for the two capital improvements projects: expand General Services Building (\$247,264) and raze barn building (\$30,000). The Joint Committee on State Building Construction has recommended that these two projects be considered for funding from the rehabilitation and repair funds of the Department of Corrections.
2. The House Subcommittee notes that the Topeka Correctional Facility (TCF) had requested \$16,340 in FY 1994 to provide annual physical examinations for Security staff who are in contact with the inmate population; this funding was not recommended by the Governor. The Subcommittee was advised that there is no systemwide policy on the issue of staff medical examinations for Department of Corrections' employees. The Subcommittee recommends that the Secretary of Corrections review this issue with the goal of developing a systemwide policy regarding staff physical examinations. Annual medical examinations are included in the accreditation standards of the American Corrections Association (ACA); however, this is not a mandatory standard and facilities may receive accreditation even if they do not require such examinations.
3. The 1992 Legislature approved the construction of a new 85-bed, high-security unit for female inmates to be located on the grounds of TCF. (The approved project budget is \$2.7 million.) The FY 1994 budget request included \$71,229 for 13.0 FTE positions (for the last three months of FY 1994) to provide additional staff for the new unit, which is expected to open in April, 1994. Of these 13 positions, 11 positions would be transferred from the Lansing Correctional Facility and two positions are new requests. The Governor did not recommend any funding for the 13.0 positions. Reconsideration of these item may be requested for inclusion in a Governor's Budget Amendment.

#### **House Committee Recommendation**

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

#### **House Recommendation**

The House concurs with the House Committee recommendation for FY 1994.

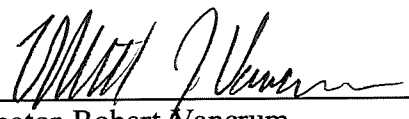


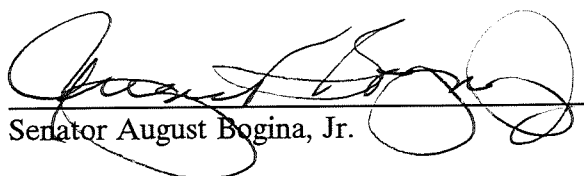
<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 12,280,257	\$ --
Capital Improvements	(277,264)	--	--
Total	<u>\$ (277,264)</u>	<u>\$ 12,280,257</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 12,205,340	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 12,205,340</u>	<u>\$ --</u>
FTE Positions	--	322.0	

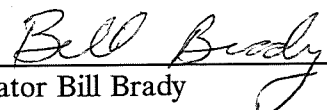
### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation, with the following observation:

1. The Warden expressed a concern that the Governor's recommendation for food in FY 1994 of \$612,049 is a reduction of \$34,548 from the agency request of \$646,597. The recommendation assumes that existing food inventories will be reduced to a two-month supply. However, because of a small food storage area at the South Unit, a full two-month supply is not available. The Warden stated that the depleted food inventories will have to be replaced in future years. The Subcommittee has reviewed year-to-date spending for food in FY 1993, and believes that adequate funding will be available for both years.

  
 Senator Robert Wancrum  
 Subcommittee Chair

  
 Senator August Bogina, Jr.

  
 Senator Bill Brady

## SUBCOMMITTEE REPORT

**Agency:** Winfield Correctional Facility

**Bill No.** 2087

**Bill Sec.** 16

**Analyst:** Mills

**Analysis Pg. No.** 531

**Budget Page No.** 632

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 3,654,352	\$ 3,608,764	\$ --
Capital Improvements	11,342	11,342	--
TOTAL	<u>\$ 3,665,694</u>	<u>\$ 3,620,106</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 3,592,542	\$ 3,546,954	\$ --
Capital Improvements	--	--	--
TOTAL	<u>\$ 3,592,542</u>	<u>\$ 3,546,954</u>	<u>\$ --</u>
FTE Positions	105.0	105.0	--

### Agency Estimate/Governor's Recommendation

The agency's revised estimate for state operations in FY 1993 is \$3,654,352, which is equal to the approved budget for FY 1993. The agency's estimate is based on an average daily inmate population (ADP) of 285 and 105.0 FTE positions.

The Governor's recommendation in FY 1993 is \$3,620,106, a reduction of \$45,588 from the agency estimate. The reductions are found in salaries and wages (\$22,008), contractual services (\$1,775), and commodities (\$21,805). The salaries and wages recommendation of \$2,962,711 will support 105.0 FTE positions, the number currently authorized. The Governor's recommendation supports an ADP of 285 inmates.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

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### House Recommendation


The House concurs with the House Committee recommendation for FY 1993.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 3,608,764	\$ --
Capital Improvements	--	11,342	--
Total	<u>\$ --</u>	<u>\$ 3,620,106</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 3,546,954	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 3,546,954</u>	<u>\$ --</u>
FTE Positions	--	105.0	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1993.

  
\_\_\_\_\_  
Senator Stephen Morris  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Jerry Karr

## SUBCOMMITTEE REPORT

**Agency:** Winfield Correctional Facility

**Bill No.** 2048

**Bill Sec.** 7

**Analyst:** Mills

**Analysis Pg. No.** 531

**Budget Page No.** 632

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 4,843,292	\$ 3,848,187	\$ --
Capital Improvements	--	--	--
<b>TOTAL</b>	<u><u>\$ 4,843,292</u></u>	<u><u>\$ 3,848,187</u></u>	<u><u>\$ --</u></u>
State General Fund:			
State Operations	\$ 4,781,482	\$ 3,786,377	\$ --
Capital Improvements	--	--	--
<b>TOTAL</b>	<u><u>\$ 4,781,482</u></u>	<u><u>\$ 3,786,377</u></u>	<u><u>\$ --</u></u>
FTE Positions	129.5	105.0	--

### Agency Request/Governor's Recommendation

For FY 1994, the agency requests a total of \$4,843,292, of which \$3,765,370 is for salaries and wages and \$1,077,922 is for other operating expenditures. Funding for state operations is requested at \$4,781,482 from the State General Fund and \$61,810 from the agency's General Fees Fund. The FY 1994 request would support 129.5 FTE positions, an increase of 24.5 FTE positions over the 105.0 approved for FY 1993. The agency proposes an average daily inmate population of 285 in FY 1994.

The Governor's recommendation in FY 1994 is \$3,848,187, a reduction of \$995,105 from the agency request. The reductions are found in salaries and wages (\$639,275), contractual services (\$15,215), commodities (\$32,812), and capital outlay (\$307,803). The net change from the current year to the budget year is an increase of \$228,081 or 6.3 percent. The recommendation for FY 1994 supports an ADP of 285 and 105.0 positions. No funding for the requested new positions is recommended.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following additional recommendation:

1. The House Subcommittee notes that the agency had requested \$217,700 in FY 1994 for the construction of partitions in the dormitory-style housing units. These partition units would each contain bunks, desks, wardrobes, and storage for two inmates, and would be constructed by Kansas Correctional Industries.

The Governor did not include any funding for the partitions. The House Subcommittee is supportive of this remodeling project, and encourages the Secretary of Corrections to utilize rehabilitation and repair funds to provide for the partitions.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1994.


<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 3,848,187	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 3,848,187</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 3,786,377	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 3,786,377</u>	<u>\$ --</u>
FTE Positions	--	105.0	--

### Senate Subcommittee Recommendation

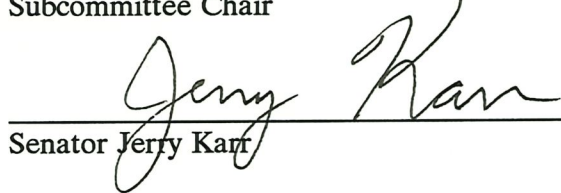
The Senate Subcommittee concurs with the House recommendation, with the following additional recommendations:

1. The Senate Subcommittee is supportive of the requested remodeling project to provide partitions in the dormitory-style housing units (House Subcommittee Recommendation No. 1 above). The Senate Subcommittee encourages the Secretary of Corrections to utilize rehabilitation and repair funds to provide for the partitions.
2. The Senate Subcommittee toured the Winfield Correctional Facility and notes that the parking lot near the Valleyview Building is in a very deteriorated condition, and should be resurfaced. A preliminary cost estimate for the project is approximately \$20,000 for the resurfacing of this portion of the lot. The Senate Subcommittee recommends that this project be funded from the Department's rehabilitation and repair fund.

3. The Senate Subcommittee notes that the Winfield Correctional Facility requested 24.5 new FTE positions in FY 1994. The Subcommittee understands that the Department of Corrections is completing a post analysis study of all the Kansas correctional facilities; this study should be a useful tool to more clearly determine the actual staffing needs at the facilities.



Senator Stephen Morris  
Subcommittee Chair



Senator Jerry Karr



## SUBCOMMITTEE REPORT

**Agency:** Larned Correctional Mental  
Health Facility

**Bill No. --**

**Bill Sec. --**

**Analyst:** Mills

**Analysis Pg. No. 495**

**Budget Page No. 414**

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 5,616,873	\$ 5,520,261	\$ --
FTE Positions	175.0	175.0	--

### Agency Estimate/Governor's Recommendation

The agency's FY 1993 estimated expenditures for state operations are \$5,616,873, which is equal to the approved budget. The agency's estimate is based on an average daily inmate population of 145, which is the same ADP as originally approved by the 1992 Legislature, and a staffing level of 175.0 FTE positions. The 1992 Legislature also approved funding in the Department of Corrections budget in FY 1993 of \$1.621 million for debt service on the bonds (\$14.5 million) and the PMIB loan issued for the construction of the facility.

The Governor's recommendation in FY 1993 is \$5,520,261, a reduction of \$96,612 from the agency revised estimate. The reduction is found in salaries and wages (\$54,513), contractual services (\$25,504), and commodities (\$16,595). The salaries and wages recommendation of \$5,157,738 will support 175.0 FTE positions, the number currently authorized. The Governor's recommendation is based on an ADP of 125 inmates.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1993.

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March 24, 1993  
Attachment 6

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
State Operations: State General Fund	\$ --	\$ 5,520,261	\$ --
FTE Positions	--	175.0	--

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House recommendation for FY 1993.

  
\_\_\_\_\_  
Senator Stephen Morris

  
\_\_\_\_\_  
Senator Gerald Karr

## SUBCOMMITTEE REPORT

**Agency:** Larned Correctional Mental  
Health Facility

**Bill No.** 2048

**Bill Sec.** 10

**Analyst:** Mills

**Analysis Pg. No.** 495

**Budget Page No.** 414

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 5,940,604	\$ 5,736,185	\$ --
FTE Positions	175.0	175.0	--

### Agency Request/Governor's Recommendation

For FY 1994, the agency requests a total of \$5,940,604, of which \$5,250,090 is for salaries and wages and \$690,514 is for other operating expenditures (composed of \$368,234 for contractual services, \$215,730 for commodities, and \$106,550 for capital outlay). All funding for state operations is requested from the State General Fund. The FY 1994 request would support 175.0 FTE positions, the same as approved for the current year. The agency proposes an average daily inmate population of 145, the same as the current year level. No funding is requested for capital improvements. Funding of \$1,721,050 is requested, in the budget of the Department of Corrections, for debt service in FY 1994.

The Governor's recommendation in FY 1994 is \$5,736,185, a reduction of \$204,419 from the agency request. The reductions are found in salaries and wages (\$92,352), contractual services (\$29,280), commodities (\$20,637), and capital outlay (\$62,150). The net change from the current year to the budget year is an increase of \$215,924 or 3.9 percent. The recommendation for FY 1994 supports an ADP of 140 and 175.0 positions.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following additional recommendation:

1. The House Subcommittee was advised by the agency that funding for several maintenance agreements on equipment had been inadvertently omitted from the FY 1994 budget request. The warranties on the following equipment items will expire in FY 1994: fire alarm system (\$15,847); Johnson Control building temperature system (\$4,720 annual cost); chiller system (\$2,587); emergency generator maintenance (\$1,413 annual cost); and the boiler and chemical treatment for the water for the building heating/cooling system (\$5,500). The Subcommittee recommends that the Secretary of Corrections consider this funding for inclusion in a Governor's Budget Amendment.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1994.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
State Operations: State General Fund	\$ --	\$ 5,736,185	\$ --
FTE Positions	--	175.0	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1994, with the following recommendation:

1. House Subcommittee Recommendation Item No. 1 concerns funding for maintenance agreements on equipment at the Larned facility. The agency submitted a revised estimate of \$18,182 for the cost of these maintenance agreements. The Senate Subcommittee concurs with the House recommendation that the Secretary of Corrections consider this funding for inclusion in a Governor's Budget Amendment.

  
\_\_\_\_\_  
Senator Stephen Morris

  
\_\_\_\_\_  
Senator Gerald Karr

# SUBCOMMITTEE REPORT

**Agency:** Hutchinson Correctional Facility      **Bill No.** --      **Bill Sec.** --

**Analyst:** Mills      **Analysis Pg. No.** 465      **Budget Page No.** 326

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 20,215,773	\$ 20,162,641	\$ --
Capital Improvements	249,250	249,250	--
Total	<u>\$ 20,465,023</u>	<u>\$ 20,411,891</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 19,977,172	\$ 19,924,040	\$ --
Capital Improvements	--	--	--
Total	<u>\$ 19,977,172</u>	<u>\$ 19,924,040</u>	<u>\$ --</u>
FTE Positions	522.0	522.0	--

## Agency Estimate/Governor's Recommendation

The agency's FY 1993 revised operating expenditures estimate is \$20,215,773, which is \$4,101 less than the approved budget of \$20,211,672. The revised FY 1993 budget is based on an average daily inmate population (ADP) of 1,390, which is 10 more than the ADP originally approved. The revised FY 1993 estimate will support 522.0 FTE positions, which is the same as the approved level for FY 1992.

The Governor's recommendation for operating expenditures in FY 1993 is \$20,162,641, a reduction of \$53,132 from the agency estimate. The reductions are found in contractual services (\$36,457) and commodities (\$16,675). The salaries and wages recommendation of \$15,605,052 will support 522.0 FTE positions, the number currently authorized. The Governor's recommendation supports an ADP of 1,390 inmates.

## House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

## House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

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March 24, 1993  
Attachment 7

### House Recommendation

The House concurs with the House Committee recommendation for FY 1993.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 20,162,641	\$ --
Capital Improvements	--	249,250	--
Total	<u>\$ --</u>	<u>\$ 20,411,891</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 19,924,040	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 19,924,040</u>	<u>\$ --</u>
FTE Positions	--	522.0	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1993.

  
\_\_\_\_\_  
Senator Alicia Salisbury  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Jerry Moran

  
\_\_\_\_\_  
Senator Marge Petty



# SUBCOMMITTEE REPORT

Agency: Hutchinson Correctional Facility      Bill No. 2048      Bill Sec. 4  
Analyst: Mills      Analysis Pg. No. 465      Budget Page No. 326

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 22,076,339	\$ 20,907,310	\$ --
Capital Improvements	812,163	812,163	--
Total	<u>\$ 22,888,502</u>	<u>\$ 21,719,473</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 21,816,339	\$ 20,647,310	\$ --
Capital Improvements	--	--	--
Total	<u>\$ 21,816,339</u>	<u>\$ 20,647,310</u>	<u>\$ --</u>
FTE Positions	531.5	522.0	--

## Agency Request/Governor's Recommendation

The agency requests \$22,076,339 for operating expenditures in FY 1994. Funding for state operations is requested almost entirely from the State General Fund (\$21,816,339). State General Fund resources are requested to increase by \$1,839,167 or 9.2 percent. The General Fees Fund of the agency is requested at \$260,000. The FY 1994 request contains funding for 531.5 FTE positions, an increase of 9.5 positions over the 522.0 approved for FY 1993. The agency projects an average daily inmate population of 1,390 in FY 1994, the same as the revised level for FY 1993.

The Governor's recommendation for operating expenditures in FY 1994 is \$20,907,310, a reduction of \$1,169,029 from the agency request. The reductions are found in salaries and wages (\$530,253), contractual services (\$23,213), commodities (\$32,139), and capital outlay (\$583,424). The net change from the current year to the budget year is an increase of \$744,669 or 3.7 percent. The recommendation for FY 1994 supports an ADP of 1,390 and 522.0 positions. No funding for new positions is recommended. Funding of \$812,163 from the Correctional Institutions Building Fund is recommended for a previously-approved capital improvement project.

## House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following observation:

1. The House Subcommittee notes that the agency had requested a shrinkage rate of 3.0 percent (or a reduction of \$518,418) for FY 1994; the shrinkage rate set by the Governor's recommendation is 4.5 percent (or a reduction of \$764,855),

a difference of \$246,437. The Subcommittee is concerned that, should any across-the-board reductions be made later in the 1993 Session, the agency may have to leave an unacceptable number of positions vacant in order to meet the budgeted shrinkage rate.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

### House Recommendation

The House concurs with the House Committee recommendation for FY 1994.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 20,907,310	\$ --
Capital Improvements	--	812,163	--
Total	<u>\$ --</u>	<u>\$ 21,719,473</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ --	\$ 20,647,310	\$ --
Capital Improvements	--	--	--
Total	<u>\$ --</u>	<u>\$ 20,647,310</u>	<u>\$ --</u>
FTE Positions	--	522.0	--

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1994, with the following observation:

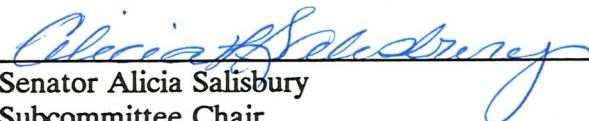
1. The Senate Subcommittee agrees with the concern expressed by the House Subcommittee that the budgeted shrinkage rate may force the agency to leave an unacceptable number of positions vacant, especially if across-the-board reductions are made later in the 1993 Session. The Warden stated that he held 18 positions open in FY 1993 in order to meet the shrinkage rate.

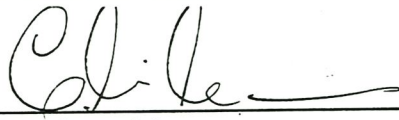
The Senate Subcommittee is aware that the Department of Corrections is currently completing a post analysis study at the Kansas correctional facilities. The Secretary of Corrections stated that the post analysis could serve as the basis for a Budget Amendment to shift some security positions from one facility to another to improve security and provide for a better allocation of staff. The post

analysis could also be used to review security shrinkage rates and the proper level of security staffing at the facilities. The Subcommittee notes the use of overtime to meet staffing needs; and that high usage of overtime leads to morale problems among the staff. Overtime does not continue to be so desirable to employees in general.

Lastly, the Senate Subcommittee strongly supports the DOC salaries and wages pool as a tool to help the facilities meet security salaries. The Secretary stated that the projected demands on the FY 1994 pool are about \$50,000 less than estimated at the time the House Committee considered the salaries pool; however, the Secretary still expressed the concern that the \$350,000 recommended by the Governor may not be adequate to meet the systemwide demand. The Senate Subcommittee believes the salaries pool to be critical in providing the effective use of limited resources and to ensure the safety of facility personnel and the general public.

2. The Senate Subcommittee notes that travel expenses are up in both the current year and the budget year, largely because of increased staff training levels recommended by the Secretary and training for the implementation of the Sentencing Guidelines Act. The Senate Subcommittee encourages the Secretary to continue efforts to find more cost effective ways of providing training to DOC staff, such as the use of conference calls, interactive video, etc.

  
\_\_\_\_\_  
Senator Alicia Salisbury  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Jerry Moran

  
\_\_\_\_\_  
Senator Marge Petty

## SUBCOMMITTEE REPORT

**Agency:** Norton Correctional Facility

**Bill No.** --

**Bill Sec.** --

**Analyst:** Mills

**Analysis Pg. No.** 504

**Budget Page No.** 450

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 9,586,120	\$ 9,438,611	\$ --
Special Revenue Fund	15,163	15,163	--
Total	<u>\$ 9,601,283</u>	<u>\$ 9,453,774</u>	<u>\$ --</u>
FTE Positions			
Norton	210.0	210.0	--
Stockton	42.0	42.0	--
Total	<u>252.0</u>	<u>252.0</u>	<u>--</u>

### Agency Estimate/Governor's Recommendation

The agency's FY 1993 revised operating expenditures estimate is \$9,601,283, which is \$2,600 above the approved budget of \$9,598,683. The increase is attributed to the receipt of a federal library grant of \$2,600. The revised FY 1993 budget is based on an average daily inmate population (ADP) of 584 (495 at Norton and 89 at Stockton). The budget will support 252.0 FTE positions (210.0 at Norton and 42.0 at Stockton), which is the approved staffing level for FY 1993.

The Governor's recommendation in FY 1993 is \$9,453,774, a reduction of \$147,509 from the agency estimate. The reductions are found in salaries and wages (\$44,035), contractual services (\$30,581), and commodities (\$72,893). The salaries and wages recommendation of \$7,258,563 will support 252.0 FTE positions (210.0 at Norton and 42.0 at Stockton), the number currently authorized. The Governor's recommendation supports an ADP of 559 inmates (495 at Norton and 64 at Stockton), and the 252.0 positions authorized.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

SWAM  
March 24, 1993  
Attachment 8

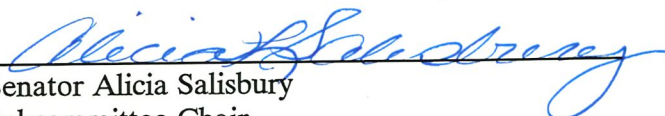
### House Recommendation

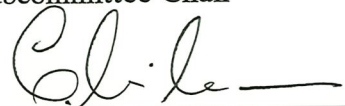
The House concurs with the House Committee recommendation for FY 1993.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 9,438,611	\$ --
Special Revenue Fund	--	15,163	--
Total	<u>\$ --</u>	<u>\$ 9,453,774</u>	<u>\$ --</u>
FTE Positions			
Norton	--	210.0	--
Stockton	--	42.0	--
Total	<u>--</u>	<u>252.0</u>	<u>--</u>

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1993.

  
\_\_\_\_\_  
Senator Alicia Salisbury  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Jerry Moran

  
\_\_\_\_\_  
Senator Marge Petty

## SUBCOMMITTEE REPORT

**Agency:** Norton Correctional Facility

**Bill No.** 2048

**Bill Sec.** 8

**Analyst:** Mills

**Analysis Pg. No.** 504

**Budget Page No.** 450

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 11,069,592	\$ 9,692,418	\$ --
Special Revenue Fund	17,000	17,000	--
Total	<u>\$ 11,086,592</u>	<u>\$ 9,709,418</u>	<u>\$ --</u>
FTE Positions			
Norton	241.0	210.0	--
Stockton	42.0	42.0	--
Total	<u>283.0</u>	<u>252.0</u>	<u>--</u>

### Agency Request/Governor's Recommendation

The agency requests \$11,086,592 for operating expenditures in FY 1994, an increase of \$1,485,309 (15.5 percent) over the FY 1993 agency revised estimate. Of the total requested, \$9,539,437 is for the Norton facility and \$1,547,155 is for the Stockton unit. Funding is requested almost entirely from the State General Fund, with the exception of \$17,000 requested from the agency's General Fees Fund. The FY 1994 request contains funding for 283.0 FTE positions, an increase of 31.0 positions over the 252.0 positions approved for the current year. The agency estimates an average daily inmate population of 584 in FY 1994, the same as in FY 1993. Funding of \$10,939 is requested for the reclassification of 7.0 positions. No capital improvements are requested.

The Governor's operating expenditures recommendation in FY 1994 is \$9,709,418, a reduction of \$1,377,174 from the agency request. The reductions are found in salaries and wages (\$914,628), contractual services (\$27,245), commodities (\$93,893), and capital outlay (\$341,408). The net change from the current year to the budget year is an increase of \$255,644 or 2.7 percent. The recommendation for FY 1994 supports an ADP of 559 (495 at Norton and 64 at Stockton), and 252.0 positions. No funding for new positions or the reallocations is recommended.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994.



### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.


### House Recommendation


The House concurs with the House Committee recommendation for FY 1994.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 9,692,418	\$ --
Special Revenue Fund	--	17,000	--
Total	<u>\$ --</u>	<u>\$ 9,709,418</u>	<u>\$ --</u>
FTE Positions			
Norton	--	210.0	--
Stockton	--	42.0	--
Total	<u>--</u>	<u>252.0</u>	<u>--</u>

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1994.

  
\_\_\_\_\_  
Senator Alicia Salisbury  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Jerry Moran

  
\_\_\_\_\_  
Senator Marge Petty

# SUBCOMMITTEE REPORT

Agency: El Dorado Correctional Facility Bill No. -- Bill Sec. --  
 Analyst: Mills Analysis Pg. No. 441 Budget Page No. 194

<u>Expenditure Summary</u>	<u>Agency Est. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 13,706,640	\$ 13,584,417	\$ --
Special Revenue Fund	77,926	77,926	--
Total	<u>\$ 13,784,566</u>	<u>\$ 13,662,343</u>	<u>\$ --</u>
FTE Positions			
EDCF	347.0	347.0	--
Honor Camps	43.0	43.0	--
Total	<u>390.0</u>	<u>390.0</u>	<u>--</u>

## Agency Estimate/Governor's Recommendation

The FY 1993 revised estimate for the facility is \$13,784,566 (\$11,848,821 for the new facility and \$1,935,745 for the correctional work facilities, formerly called Honor Camps) and 390.0 FTE positions (347.0 for the new facility and 43.0 for the Honor Camps). The revised FY 1993 estimate includes a State General Fund supplemental request of \$30,777 which the agency states is needed because of a salaries shortfall. The FY 1993 estimate is based on an average daily inmate population (ADP) of 750 (578 at the new facility and 172 at the Honor Camps). The 1992 Legislature also approved funding of \$5,715,000 in FY 1993 for debt service on the bonds and loan for the facility; this funding is in the budget of the Department of Corrections.

The Governor's recommendation in FY 1993 is \$13,662,343, a reduction of \$122,223 from the agency estimate. The reductions are found in salaries and wages (\$3,688), contractual services (\$33,898), and commodities (\$84,637). The salaries and wages recommendation of \$10,879,663 will support 390.0 FTE positions, the number currently authorized. The Governor's recommendation supports an ADP of 725 inmates (553 at the new El Dorado facility and 172 at the Honor Camps). The Governor does not recommend the requested supplemental funding.

## House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1993.

## House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1993.

SWAM  
 March 24, 1993  
 Attachment 9

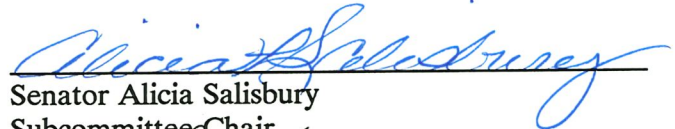
### House Recommendation

The House concurs with the House Committee recommendation for FY 1993.

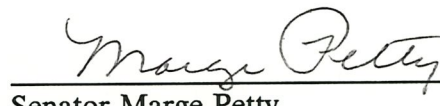
<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 13,584,417	\$ --
Special Revenue Fund	--	77,926	--
Total	<u>\$ --</u>	<u>\$ 13,662,343</u>	<u>\$ --</u>
FTE Positions			
EDCF	--	347.0	--
Honor Camps	--	43.0	--
Total	<u>--</u>	<u>390.0</u>	<u>--</u>

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1993.

  
\_\_\_\_\_  
Senator Alicia Salisbury  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Jerry Moran

  
\_\_\_\_\_  
Senator Marge Petty

## SUBCOMMITTEE REPORT

**Agency:** El Dorado Correctional Facility      **Bill No.** 2048      **Bill Sec.** 9  
**Analyst:** Mills      **Analysis Pg. No.** 441      **Budget Page No.** 194

<u>Expenditure Summary</u>	<u>Agency Req. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 15,042,571	\$ 14,158,574	\$ --
Special Revenue Fund	80,087	80,087	--
Total	<u>\$ 15,122,658</u>	<u>\$ 14,238,661</u>	<u>\$ --</u>
FTE Positions			
EDCF	352.0	347.0	--
Honor Camps	43.0	43.0	--
Total	<u>395.0</u>	<u>390.0</u>	<u>--</u>

### Agency Request/Governor's Recommendation

The FY 1994 request for the El Dorado Correctional Facility is \$15,122,658, an increase of \$1,339,082 or 9.7 percent over the FY 1993 estimate. The FY 1994 request would continue the current staffing level of 390.0 FTE positions (347.0 at the new facility and 43.0 at the Honor Camps) and also allow for the creation of 5.0 new FTE positions. The FY 1994 request is based on an ADP of 750 (578 at the new facility and 172 at the Honor Camps). The FY 1994 request is composed of \$11,801,906 for salaries and wages; \$1,309,936 for contractual services; \$1,626,403 for commodities; and \$384,413 for capital outlay. No funding is requested for capital improvements. Funding of \$5,978,000 is requested, in the budget of the Department of Corrections, for debt service on the bonds and loan for the construction of the facility. The funding sources for the facility are 15-year bonds issued by the Kansas Development Finance Authority (\$34.94 million) and a 20-year loan from the Pooled Money Investment Board (\$26.85 million).

The Governor's recommendation in FY 1994 is \$14,238,661, a reduction of \$883,967 from the agency request. The reductions are found in salaries and wages (\$427,277), contractual services (\$34,792), commodities (\$69,577), and capital outlay (\$352,321). The net change from the current year to the budget year is an increase of \$576,318 or 4.2 percent. The recommendation for FY 1994 supports an ADP of 725 (553 at the new El Dorado facility and 172 at the Honor Camps) and the salaries funding of \$11,374,599 supports the 390.0 positions currently approved. No funding is included for the requested new positions.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1994, with the following observation:

1. The House Subcommittee notes that the agency had requested a shrinkage rate of 3.5 percent (or a reduction of \$428,037) in FY 1994; the shrinkage rate set by the Governor's recommendation is 5.8 percent (or a reduction of \$700,347), a difference of \$272,310. The Subcommittee is concerned that, should any across-the-board reductions be made later in the 1993 Session, the agency may have to leave an unacceptable number of positions vacant in order to meet the budgeted shrinkage rate.

#### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation for FY 1994.

#### House Recommendation

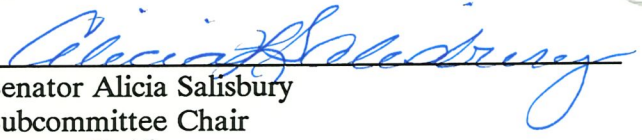
The House concurs with the House Committee recommendation for FY 1994.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Sub. Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 14,158,574	\$ --
Special Revenue Fund	--	80,087	--
Total	<u>\$ --</u>	<u>\$ 14,238,661</u>	<u>\$ --</u>
FTE Positions			
EDCF	--	347.0	--
Honor Camps	--	43.0	--
Total	<u>--</u>	<u>390.0</u>	<u>--</u>

#### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House recommendation for FY 1994, with the following observation:

1. The Senate Subcommittee agrees with the concern expressed by the House Subcommittee that the budgeted shrinkage rate may force the agency to leave an unacceptable number of positions vacant, especially if across-the-board reductions are made later in the 1993 Session.

  
\_\_\_\_\_  
Senator Alicia Salisbury  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Jerry Moran

  
\_\_\_\_\_  
Senator Marge Petty

SWAM  
March 24, 1993  
Attachment 10

1 shall thereby become forever ineligible to receive any form of general  
2 assistance under the provisions of this subsection (d) unless the con-  
3 viction is the person's first conviction under the provisions of K.S.A.  
4 39-720 and amendments thereto or the law of any other state con-  
5 cerning welfare fraud. First time offenders convicted of a misde-  
6 meanor under the provisions of such statute shall become ineligible  
7 to receive any form of general assistance for a period of 12 calendar  
8 months from the date of conviction. First time offenders convicted  
9 of a felony under the provisions of such statute shall become inel-  
10 igible to receive any form of general assistance for a period of 60  
11 calendar months from the date of conviction. If any person is found  
12 guilty by a court of competent jurisdiction of any state other than  
13 the state of Kansas of a crime involving welfare fraud, such person  
14 shall thereby become forever ineligible to receive any form of general  
15 assistance under the provisions of this subsection (d) unless the con-  
16 viction is the person's first conviction under the law of any other  
17 state concerning welfare fraud. First time offenders convicted of a  
18 misdemeanor under the law of any other state concerning welfare  
19 fraud shall become ineligible to receive any form of general assistance  
20 for a period of 12 calendar months from the date of conviction. First  
21 time offenders convicted of a felony under the law of any other state  
22 concerning welfare fraud shall become ineligible to receive any form  
23 of general assistance for a period of 60 calendar months from the  
24 date of conviction.

25 (e) *Requirements for medical assistance for which federal moneys*  
26 *or state moneys or both are expended.* When the secretary has  
27 adopted a medical care plan under which federal moneys or state  
28 moneys or both are expended, medical assistance in accordance with  
29 such plan shall be granted to any person who is a citizen of the  
30 United States or who is an alien lawfully admitted to the United  
31 States and who is residing in the state of Kansas, whose resources  
32 and income do not exceed the levels prescribed by the secretary.  
33 In determining the need of an individual, the secretary may provide  
34 for income and resource exemptions and protected income and re-  
35 source levels. ~~Resources which accrue to an individual from inher-~~  
36 ~~itance shall be counted as resources if the interest in the inheritance~~  
37 ~~vests within 30 months before the application of the individual. A~~  
38 ~~disclaimer of an inheritance pursuant to K.S.A. 59-2291 and amend-~~  
39 ~~ments thereto shall not be effective to cause the inheritance to not~~  
40 ~~be counted as a resource, if the disclaimer is made after the 30-~~  
41 ~~month period has commenced.~~ The secretary shall exempt principal  
42 and interest held in irrevocable trust pursuant to subsection (c) of  
43 K.S.A. 16-303 and amendments thereto from the eligibility require-

shall constitute a  
transfer of resources.



## SENATE BILL No. 288

By Committee on Ways and Means

2-11

8 AN ACT concerning community college out-district tuition; amending  
9 K.S.A. 71-301 and repealing the existing section.  
10

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

12 Section 1. K.S.A. 71-301 is hereby amended to read as follows:  
13 71-301. (a) (1) Except as otherwise provided in this subsection, the  
14 board of trustees shall charge to and collect from each in-state student  
15 tuition at rates per credit hour enrolled which shall be established  
16 at an amount: For the 1991 fiscal year, not less than \$16 per  
17 credit hour and not more than \$24 per credit hour; for the 1992  
18 fiscal year, not less than \$18 per credit hour and not more than  
19 \$26 per credit hour; for the 1993 fiscal year and for each fiscal  
20 year thereafter, not less than \$19 per credit hour and not more than  
21 \$27 per credit hour.

22 (2) Subject to the provisions of K.S.A. 71-302, and amendments  
23 thereto, the board of trustees shall charge to and collect from each  
24 out-of-state and foreign student tuition at rates per credit hour en-  
25 rolled which shall be established at an amount not less than 2½  
26 times the maximum amount per credit hour prescribed by provision  
27 (1).

28 (3) The board of trustees may charge to and collect from each  
29 student who is eligible for admission to a community college at in-  
30 state tuition rates but who resides within a federal military reser-  
31 vation tuition at rates per credit hour enrolled which, if established,  
32 shall be established at an amount not less than \$36 per credit hour.

33 (b) The board of trustees, in accordance with rules and regula-  
34 tions of the state board, shall determine and collect an amount of  
35 out-district tuition to be charged for each out-district student at-  
36 tending the community college ~~and shall certify such amount to the~~  
37 ~~state-board~~. The board of county commissioners of any county  
38 charged with payment of out-district tuition shall levy a tax on all  
39 of the taxable property of the county sufficient to pay all out-district  
40 tuition charges authorized by this act. The proceeds from the tax  
41 levied under authority of this section shall be deposited in a special  
42 fund for payment of out-district tuition. ~~The state board upon receipt~~  
43 ~~from a community college of the amount of out-district tuition to be~~

SWAM  
march 24, 1993  
Attachment 11



1 ~~[charged for each out-district student attending the community college~~  
 2 ~~shall certify such amount to the appropriate board of county com-~~  
 3 ~~missioners.]~~ Upon receiving a statement of charges for out-district  
 4 tuition ~~[from the state board]~~, the board of county commissioners shall  
 5 allow and pay the same ~~[promptly]~~ from the special fund within ~~[10]~~  
 6 ~~days from the receipt of such statement.~~ If there is insufficient or  
 7 no money in the special fund, out-district tuition shall be paid from  
 8 the county general fund or from the proceeds of the sale of no-fund  
 9 warrants issued for the purpose of the payment of out-district tuition.  
 10 ~~If the board of county commissioners fails to pay such amount [to~~  
 11 ~~the state board] at the time required under this subsection, [there~~  
 12 ~~shall be added to the unpaid balance of the amount interest at the~~  
 13 ~~rate per month prescribed by subsection (a) of K.S.A. 79-2968 and~~  
 14 ~~amendments thereto from the date the amount was due until paid.]~~  
 15 Money paid to the state board under this subsection shall be de-  
 16 posited in the out-district tuition suspense account which is hereby  
 17 created in the state treasury. The state board shall pay moneys from  
 18 this account, in accordance with rules and regulations of the state  
 19 board, to the community colleges entitled to receive such money  
 20 including any interest on such money as may be received by the  
 21 state board under this subsection]

the board of trustees shall notify the state board of such failure to pay and shall certify to the state board the amount to be paid. Upon receipt by the state board of such notification, the amount to be paid as certified to the state board shall become an amount due and owing to the state board. The state board shall notify the board of county commissioners that this amount is now due and owing to the state board. If the board of county commissioners fails to pay such amount to the state board within 14 days of the receipt of such notification, the state board shall initiate proceedings under K.S.A. 75-6201 et seq. for the collection of such money.

or collected by

22 (c) The total out-district tuition charged by a community college  
 23 shall be an amount equal to the number of duly enrolled out-district  
 24 students times \$24 for each credit hour of each such student.

25 (d) (1) Out-district tuition shall only be charged for credit hours  
 26 of out-district students if such students, as determined by the state  
 27 board, have not more than 64 credit hours from any institution of  
 28 postsecondary education or the students have not more than 72 credit  
 29 hours and are enrolled in terminal type nursing courses or freshman-  
 30 sophomore level preengineering courses.

31 (2) The credit hour limitations prescribed by provision (1) of this  
 32 subsection do not apply to credit hours of out-district students if  
 33 such students, as determined by the state board, are enrolled in an  
 34 approved vocational education program at a community college for  
 35 the purpose of receiving vocational or technical training or retraining  
 36 in preparation for gainful employment.

37 (e) In May of each fiscal year, the board of trustees shall notify  
 38 the board of county commissioners of the approximate amount of  
 39 out-district tuition which will be charged to the county in the suc-  
 40 ceeding fiscal year.

41 (f) Expenditures for out-district tuition shall be exempt from the  
 42 budget law of this state to the extent of such payments not anticipated  
 43 in the budget of the county.

- 1     Sec. 2. K.S.A. 71-301 is hereby repealed.
- 2     Sec. 3. This act shall take effect and be in force from and after
- 3     its publication in the statute book.

## SENATE BILL No. 386

By Committee on Ways and Means

2-23

8 AN ACT concerning state educational institutions; construction, re-  
 9 pair, remodeling and renovating buildings from private moneys;  
 10 exemptions from certain statutory requirements.

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

13 Section 1. (a) As used in this act:

14 (1) "State educational institution" means the Fort Hays state uni-  
 15 versity, Kansas state university of agriculture and applied science,  
 16 Kansas state veterinary medical center, Emporia state university,  
 17 Pittsburg state university, university of Kansas, university of Kansas  
 18 medical center, Wichita state university and Kansas state university,  
 19 college of technology at Salina.

20 (2) "Private moneys" means moneys from nongovernmental  
 21 sources.

22 (b) A state educational institution is authorized to construct build-  
 23 ings and facilities from private moneys granted or given to such  
 24 institution if the capital improvement projects for such buildings and  
 25 facilities have received prior approval by the state board of regents  
 26 [and] the plans and specifications for such projects have received prior  
 27 approval by the secretary of administration. [Such capital improve-  
 28 ment projects financed totally from private moneys shall be exempt  
 29 from the provisions of K.S.A. 75-3739 through 75-3744 and amend-  
 30 ments thereto. No such capital improvement project for a building  
 31 or facility shall be approved by the state board of regents without  
 32 having first advised and consulted with the joint committee on state  
 33 building construction.

34 (c) A state educational institution is authorized to repair, remodel  
 35 or renovate state buildings and facilities of the state educational  
 36 institution from private moneys granted or given to such institution  
 37 if the capital improvement projects for such repairs, remodeling or  
 38 renovations have received prior approval by the state board of regents  
 39 [and] the plans and specifications of such projects have received prior  
 40 approval by the secretary of administration. [Such capital improve-  
 41 ment projects financed totally from private moneys shall be exempt  
 42 from the provisions of K.S.A. 75-3739 through 75-3744 and amend-  
 ments thereto. No such capital improvement project to repair, re-

Capital improvement projects financed totally  
 by endowment association, see K.S.A. 76-757

Should this act be limited only to the Kansas  
 medical center? Should the projects be  
 limited only to those of \$500,000 or less?

on state-owned property of the state  
 educational institution

Such capital improvement projects shall be  
 inspected by the division of architectural  
 services.

, 75-3740, 75-3740a, 75-3741, 75-3741a,  
 75-3741b, 75-3742, 75-3743 and 75-3744,

Such capital improvement projects shall be  
 totally financed from private moneys and the  
 buildings and facilities constructed shall  
 become the property of the state of Kansas  
 upon completion and acceptance by the  
 secretary of administration.

Such capital improvement projects shall be  
 inspected by the division of architectural  
 services.

, 75-3740, 75-3740a, 75-3741, 75-3741a,  
 75-3741b, 75-3742, 75-3743 and 75-3744,

Such capital improvement projects shall be  
 totally financed from private moneys and the  
 repairs, remodeling or renovations shall  
 become the property of the state of Kansas  
 upon completion and acceptance by the  
 secretary of administration.

SVAM, March 24, 1993, Attachment 12

- 1 model or renovate any state building or facility shall be approved
- 2 by the state board of regents without having first advised and con-
- 3 sulted with the joint committee on state building construction.
- 4 Sec. 2. This act shall take effect and be in force from and after
- 5 its publication in the statute book.