

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Marc Rhoades at 9:11 a.m. on February 10, 2011, in Room 346-S of the Capitol.

All members were present

Committee staff present:

Jim Wilson, Office of the Revisor of Statutes  
Nobuko Folmsbee, Office of the Revisor of Statutes  
Alan Conroy, Kansas Legislative Research Department  
Jarod Waltner, Kansas Legislative Research Department  
Shirley Morrow, Kansas Legislative Research Department  
Cindy O'Neal, Administrative Assistant, Appropriations Committee  
Kathy Holscher, Committee Assistant, Appropriations Committee

Others attending:

See attached list.

- Attachment 1 House Transportation and Public Safety Budget Committee Reports – FY 2012
- Attachment 2 Proposed language addition – Department of Corrections

**HB 2133 – Claims Against the State**

Chairman Rhoades welcomed committee members and reviewed the committee agenda.

Representative Peck made a motion to introduce legislation regarding the Kansas Department of Corrections and basing payments on Medicaid rates. The motion was seconded by Representative DeGraaf. Motion carried.

Jim Wilson, First Assistant Revisor, Office of Revisor of Statutes, provided committee members with an overview of a trailer bill for **HB 2668** noting revisions that would clarify the statutory language and reorganize the statutes to the criminal code re-codification.

Representative Peck made a motion to introduce legislation regarding the criminal code re-codification. The motion was seconded by Representative DeGraaf. Motion carried.

Representative Peck, Chair, House Transportation and Public Safety Budget Committee presented the Juvenile Justice Authority FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendations with the following adjustments and notations: delete \$57,998 for the State General Fund (SGF), for salaries and wages, and 1 FTE position; delete \$10,000 from the State Institutions Building Fund and recommended that the National Guard raze the pig barn at the Kansas Juvenile Correctional Complex; add \$500,000 to the SGF for reduced resources budget; delete \$328,139 from the State Institutions Building Fund for the warehouse construction at Larned Juvenile Correctional Facility; and the possibility of reducing longevity bonus payments to \$40 per year of service.

Representative Peck made a motion to adopt the Juvenile Justice Authority FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members. Additional information was requested regarding the National Guard razing the structure at the Kansas Juvenile Correctional Complex.

The motion was renewed. Motion carried.

Representative Peck, Chair, House Transportation and Public Safety Budget Committee presented the Kansas Juvenile Correctional Complex FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendations.

Representative Peck made a motion to adopt the Kansas Juvenile Correctional Complex FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding the Governor's enhancement requests and staffing

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recommendations.

The motion was renewed. Motion carried.

Representative Peck, presented the Larned Juvenile Correctional Facility FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendations.

Representative Peck made a motion to adopt the Larned Juvenile Correctional Facility FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood. Motion carried.

Representative Peck, presented the Department of Corrections FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendations with the following adjustments and notations: add \$750,000 from SGF for offender programming; add \$500,000 from SGF for community corrections grants; possibility of reducing the longevity bonus payments to \$40 per year of service.

Representative Peck made a motion to adopt the Larned Juvenile Correctional Facility FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding technology issues, budget reductions, staffing issues and the Aramark contract for food services.

Representative McLeland made a motion for an amendment to review technology upgrades at Omnibus. The motion was seconded by Representative Mast. Motion carried.

Representative Gatewood presented an amendment that would add language to the Home Building program, (Attachment 2).

Representative Gatewood made a motion to approve the amendment. The motion was seconded by Representative Kelley.

Discussion followed by committee members regarding competition within the private sector and vocational educational programming for inmates.

The motion to amend was renewed. Motion carried.

Discussion followed regarding bed space, consolidation, and re-purposing the Labette County Conservation Camps.

The motion to adopt the amended report was renewed. Motion carried.

Representative Pottorff, Vice-Chair, House Transportation and Public Safety Budget Committee, presented the El Dorado Correctional Facility FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendations.

Representative Pottorff made a motion to adopt the El Dorado Correctional Facility FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood.

It was noted that all remaining facilities concurred with the Governor's recommendations.

Representative Pottorff made a substitute motion adopt the FY 2012 Budget Committee Reports for the following facilities: Ellsworth Correctional Facility; Hutchinson Correctional Facility; Lansing Correctional Facility; Larned Correctional Mental Health Facility; Norton Correctional Facility; Topeka Correctional Facility; and Winfield Correctional Facility. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding bed space, classification of prisoners, transportation and facilities issues. Acting Secretary Roberts, presented a brief overview on the impact of the recommendations and long range issues concerning increased prison population.

The substitute motion was renewed. Motion carried.

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Representative Pottorff presented the Kansas Parole Board FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendation to abolish the Kansas Parole Board and transfer all duties and functions to the Department of Corrections.

Representative Pottorff made a motion to adopt the Kansas Parole Board FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding staffing issues and bed space. As requested by committee members, a review of the model used by other states will be provided.

The motion was renewed. Motion carried.

Chairman Rhoades opened discussion on **HB 2133**.

Jim Wilson, Office of Revisor of Statutes, reviewed technical amendments to **HB 2133**, and responded to committee questions.

Representative Gatewood made a motion to remove section 10 from **HB 2133**. The motion was seconded by Representative Feuerborn. Motion failed.

Representative Kelley made a motion to approve **HB 2133** favorable for passage. The motion was seconded by Representative DeGraaf.

Discussion followed by committee members regarding the Pay Go House rule.

Representative Donohoe made a motion to table **HB 2133** for further clarification. The motion was seconded by Representative Crum. Motion failed.

The motion to was renewed to move **HB 2133** favorable for passage. Motion carried.

The meeting was adjourned at 10:53am.

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Marc Rhoades, Chairman