

## MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Stephen Morris at 10:35 a.m. on February 12, 2004, in Room 123-S of the Capitol.

All members were present except:  
Senator David Adkins- excused

Committee staff present:  
Alan Conroy, Director, Kansas Legislative Research Department  
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Susan Kannarr, Kansas Legislative Research Department  
Becky Krahl, Kansas Legislative Research Department  
Jill Wolters, Senior Assistant, Revisor of Statutes  
Judy Bromich, Administrative Analyst  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:  
None

Others attending:  
See Attached List.

### **Bill Introduction**

Senator Helgerson moved, with a second by Senator Bunten, to introduce a bill regarding state finance; concerning repeal of certain transfers to local units of government and ending balance requirements (3rs1764). Motion carried on a voice vote.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2004 and FY 2005 were available to the committee.

### **Subcommittee reports on:**

**Kansas Department of Corrections**  
**El Dorado Correctional Facility**  
**Ellsworth Correctional Facility**  
**Hutchinson Correctional Facility**  
**Lansing Correctional Facility**  
**Larned Correctional Mental Health Facility**  
**Norton Correctional Facility**  
**Topeka Correctional Facility**  
**Winfield Correctional Facility** ([Attachment 1](#))

Subcommittee Chairman Jordan reported that the subcommittee on the Kansas Department of Corrections concurs with the Governor's recommendation in FY 2004 and concurs with the Governor's FY 2005 recommendations with comments.

The Committee discussed concerns regarding bed capacity and treatment facilities. Chairman Morris mentioned that he would schedule Secretary Werholtz to come to a future meeting to discuss bed capacity in the prisons. Senator Barone requested detailed information on the availability of private beds outside the state, cost of out-of-state private facilities and capacity in county prisons that are being used, and if that is a constant number. There was committee discussion regarding Item No. 3 and the subcommittee's concern about the impact of reductions on the community transition programs, such as the Community Residential Beds (CRBs).

CONTINUATION SHEET

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Senator Kerr moved, with a second by Senator Jackson, to add \$750,000 State General Fund in Item No. 3, FY 2005, to offender programs for community residential beds. Motion carried on a voice vote.

Senator Jordan explained that the correctional facilities' budgets are in agreement with the Governor's budget with exception of the pay plan.

Senator Jordan moved, with a second by Senator Jackson, to adopt the subcommittee budget report on the Kansas Department of Corrections and the Correctional Facilities for FY 2004 and FY 2005 as amended. Motion carried on a voice vote.

Chairman Morris turned the committee's attention to discussion of:

**SB 275--Allowing private companies to construct correctional facilities**

Senator Schmidt explained that a number of questions were raised by the Kansas Department of Corrections regarding the Department's view that they are neutral on policy question of whether private facilities are appropriate in Kansas or not and if Kansas were to do it, they had a number of suggestions on how to better structure the authorizing language to do it properly. He mentioned that he has met with Secretary Werholtz and his staff and appreciated the Department's efforts and time devoted to it. Senator Schmidt explained that Proposed **Substitute for SB 275** addresses Secretary Werholtz's concerns and gives him a comfort level that it would be a workable and responsible approach to the issue of authorizing a private facility in Kansas. Senator Schmidt explained the changes incorporated in the **Substitute for SB 275**.

Senator Bunten moved, with a second by Senator Helgerson, to amend **SB 275** with proposed **Substitute for SB 275**. Motion carried on a voice vote.

Chairman Morris mentioned that next week the committee will discuss the proposed **Substitute for SB 275**.

The meeting adjourned at 11:40 a.m. The next meeting is scheduled for February 13, 2004.