

Approved: March 7, 2000  
Date

## MINUTES OF THE SENATE WAYS & MEANS COMMITTEE.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on March 2, 2000 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Alan Conroy, Chief Fiscal Analyst, KLRD  
Rae Anne Davis, KS Legislative Research Department  
Debra Hollon, KS Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Asst. Revisor of Statutes  
Judy Bromich, Administrative Assistant to the Chairman  
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

It was moved by Senator Morris and seconded by Senator Ranson that bill draft 9rs 2385 be introduced as requested by the Governor's office. The motion carried on a voice vote.

Copies of Senate Substitute for **HB 2476** were distributed to members. The Chairman stated that the Committee would vote on this bill on March 3, 2000.

Senator Jordan reviewed the FY 2001 subcommittee report on the Department of Corrections (Attachment 1). Chairman Kerr told members that, in his opinion, the budget for the Department of Corrections is the number one budget problem remaining for FY 2001. He expressed concern that the budget is cut short enough that the Legislature is making recommendations in the short term to generate savings that are not good for the long term. He told members that the Corrections subcommittee had shared these concerns with him and, in order to keep the funding and additional space issues alive, the Capital Improvements subcommittee would continue to explore options to improve the situation with the Department of Corrections. Senator Jordan added that the subcommittee had concerns about the visitors' center, work crews, etc., but believed that community corrections and the programs within the prisons had to be viewed as the highest funding priorities.

Senator Petty expressed concern about who would be responsible for compiling performance data on community corrections programs.

Members discussed the potential delay of the transfer of the RDU from Topeka to El Dorado (item 6). It was noted that the transfer date is dependent on the coordination of construction projects that are proposed at El Dorado and the renovation of the cell house in Topeka that is currently used as an RDU. In answer to a question, it was stated that the 12 weeks of staff training at El Dorado is not one of the reasons for the delayed transfer.

In answer to Senator Petty, Secretary Simmons, Department of Corrections, stated that \$12.9 million of the federal crime bill money is in the bank and the Governor has proposed using it for adult prison expansion and juvenile maximum security expansion. He stated that if the money is used for those purposes, none would be available for use in the community. In answer to a question, he replied that the money could be used in the community as long as it leads to an expansion of available space for housing violent offenders. It was noted by Chairman Kerr that the Capital Improvements subcommittee will look at the possibility of building new facilities with bonds and using the federal crime bill monies for day reporting.

In answer to a question, Sec. Simmons stated that residential centers are funded under the Governor's

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recommendations.

Senator Jordan noted that the FY 2001 subcommittee reports for the **El Dorado Correctional Facility, the Hutchinson Correctional Facility, the Norton Correctional Facility, and the Topeka Correctional Facility** address the Governor's pay plan, the Governor's Budget Amendment 1 to maintain American Correctional Association accreditation, and a graph illustrating daily population of inmates and staffing levels at the institutions (Attachment 2).

Senator Downey expressed some concern that Kansas might be lagging behind in figuring out how to use federal monies for services prior to incarceration. Senator Salisbury concurred and stated that a lot of prevention money goes into the Juvenile Justice Authority budget.

Senator Salisbury reviewed the FY 2001 subcommittee reports on the **Ellsworth Correctional Facility, the Lansing Correctional Facility, the Larned Correctional Mental Health Facility and the Winfield Correctional Facility** (Attachment 3)

Senator Salmans noted that there had been a court order that correctional facilities should not treat the mentally ill and expressed concern that perhaps this policy was being violated at the Larned Facility. Secretary Simmons stated that while no one can be placed at the State Hospital, both the general population of inmates and the population of inmates with mental illness have grown. He agreed that the Department is probably doing more at corrections facilities than they should, but it has to be done somewhere. He stated that without an influx of monies for hospital placements, he does not know what else can be done. Senator Salisbury commented that the growing population of mentally ill inmates is not an exclusive situation at Larned Correctional Facility.

There was discussion about the possibility of a private facility as reported in an Iola news article. Chairman Kerr stated that the Capital Improvements subcommittee has plans to invite private prison proponents, but at the moment, their focus is on trying to find a balance of programs to reduce the demands for bed space and smaller projects that will provide additional bed space quickly. Members discussed some of the benefits and disadvantages associated with private prisons.

The Chairman asked that the Committee approve the subcommittee reports but reiterated that the issues of concern need to be addressed within the next 5 to 6 weeks. He commented that it is his belief that this budget more than any other illustrates that the state is truly short of money.

It was moved by Senator Jordan and seconded by Senator Salisbury that the FY 2001 subcommittee reports on the Department of Corrections, the Topeka Correctional Facility, Hutchinson Correctional Facility, Norton Correctional Facility, El Dorado Correctional Facility, Larned Correctional Mental Health Facility, Winfield Correctional Facility, Lansing Correctional Facility, and the Ellsworth Correctional Facility be approved. The motion carried on a voice vote.

Chairman Kerr requested that Secretary Simmons convey the Committee's appreciation for Mr. Ewell's contributions to Kansas Correctional Industries over the past 23 years and wish him well in his retirement.

The meeting was adjourned at 12:05 p.m. The next meeting will be March 3, 2000.