

Senate Subcommittee Report

Agency: Department of Corrections

Bill No. SB 267

Bill Sec. 71

Analyst: Riedel

Analysis Pg. No. Vol. 1, pg. 341

Budget Page No. 386-431

Expenditure Summary	Agency Request FY 2022	Governor Recommendation FY 2022	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 442,753,353	\$ 406,989,538	\$ 0
Other Funds	34,443,411	44,443,411	0
<i>Subtotal</i>	<u>\$ 477,196,764</u>	<u>\$ 451,432,949</u>	<u>\$ 0</u>
Capital Improvements:			
State General Fund	\$ 6,089,218	\$ 1,936,732	\$ 0
Other Funds	7,187,040	13,276,258	0
<i>Subtotal</i>	<u>\$ 13,276,258</u>	<u>\$ 15,212,990</u>	<u>\$ 0</u>
TOTAL	<u>\$ 490,473,022</u>	<u>\$ 466,645,939</u>	<u>\$ 0</u>
FTE positions	3,333.5	3,333.5	0.0

Agency Request

The **agencies** request \$490.5 million, including \$448.8 million from the State General Fund (SGF), for the entire Kansas Department of Corrections (KDOC) System for FY 2022. These are expenditures for KDOC, Kansas Correctional Industries, eight adult correctional facilities, and the Kansas Juvenile Correctional Complex. This is an all funds increase of \$2.1 million, or 0.4 percent, and an SGF increase of \$12.3 million, or 2.8 percent, above the FY 2021 revised estimate. The request includes 3,333.5 FTE positions for the KDOC System, which is a decrease of 31.0 FTE positions below the FY 2021 revised estimate. The positions decrease is mainly temporary correctional officer positions at the Larned Correctional Mental Health Facility (LCMHF).

The agencies request operating budgets totaling \$477.2 million, including \$442.8 million SGF, for FY 2022. This is an all funds increase of \$6.9 million, or 1.5 percent, and an SGF increase of \$13.4 million, or 3.1 percent, above the FY 2021 revised estimate. The increase is primarily attributable to the agencies' 11 enhancement requests. These include enhancements related to increases for certain staff salaries and retirement benefits; adjustments to the food and medical services for inmates; and the shifting of expenditures from the Larned State Hospital (LSH) to the KDOC Central Office for aspects related to inmates. The agency budgeted an enhancement of \$1.5 million to partially finance the replacement of adult and juvenile offender management data systems. Also budgeted is an annual lease payment for the Lansing Correctional Facility totaling \$15.4 million, which is a slight increase above the payment in FY 2021. The increase is partially offset by decreased salaries and wage expenditures due to the elimination of 31 temporary correctional officer positions at the LCMHF, which were funded with a federal grant supporting temporary use of the former Larned Juvenile Correctional Facility as a COVID-19 intake isolation unit in FY 2021.

The FY 2022 request includes capital improvements expenditures for the KDOC System of \$13.3 million, including \$6.1 million SGF. This is an all funds decrease of \$4.7 million, or 26.3 percent, and an SGF decrease of \$1.1 million, or 15.5 percent, below the FY 2021 revised estimate. The decrease is attributed to decreased expenditures for routine repair and rehabilitation projects at correctional facilities. Funds for such projects are held at the KDOC Central Office for planning purposes and transferred to facilities in the current year. The agency budgeted \$6.1 million SGF in final year expenditures for two-year capacity expansion projects that include a substance abuse treatment center at the Lansing Correctional Facility and a nursing care and substance abuse treatment center at the Winfield Correctional Facility.

Governor's Recommendation

The **Governor** recommends expenditures of \$466.6 million, including \$408.9 million SGF, for the entire KDOC System for FY 2022. This is an all funds decrease of \$23.8 million, or 4.9 percent, and an SGF decrease of \$39.9 million, or 8.9 percent, below the agencies' FY 2022 request. The recommendation includes 3,333.5 FTE positions for the KDOC System, which is unchanged from the agencies' FY 2022 request.

The Governor recommends operating budgets totaling \$451.4 million, including \$407.0 million SGF for FY 2022. This is an all funds decrease of \$25.8 million, or 5.4 percent, and an SGF decrease of \$35.8 million, or 8.1 percent, below the agencies' FY 2022 request. The decrease is attributable to the Governor not recommending several of the agency's enhancement requests and adopting a modified reduced resources budget. The recommendation includes shifting \$2.1 million SGF from LSH to the KDOC Central Office for expenditures related to the housing of inmates with mental health needs and food service operations at LCMHF. Adjustments to the agency's request include:

- A decrease of \$10.6 million SGF for contracted beds, primarily due to the return of inmates housed at the Saguaro Correctional Facility in Eloy, Arizona, to Kansas in December 2020;
- A decrease of \$10.0 million SGF for graduated sanction grants awarded to juvenile community corrections agencies, offset by an increase of \$10.0 million in expenditures from the Juvenile Alternatives to Detention Fund for the same purpose;
- A decrease of \$4.4 million SGF for inmate food services and health care due to decreased prison population projections;
- A decrease of \$4.1 million SGF due to the Governor not recommending enhancements for unit team counselor and parole officer pay equity nor enhanced retirement for parole and juvenile correctional officers;
- A decrease of \$3.4 million SGF due to the Governor recommending an alternative financing plan for replacement of the adult and juvenile offender management data systems. The Governor does not recommend the agency's enhancement request. However, to pay for replacement, the recommendation includes a shift of operating expenditures to the capital improvements expenditures for an initial debt service principal payment, and adds new SGF expenditures for debt service interest payments, on a multi-year loan;

- A decrease of \$2.0 million SGF due to the Governor not recommending enhancements requests for safety and security equipment, vehicle replacement, nor increased GPS monitoring; and
- A decrease of \$947,460 due to the Governor adopting reduced resources proposals that increase shrinkage among correctional facilities and reduce Central Office salaries and wages expenditures.

The Governor recommends \$15.2 million, including \$1.9 million SGF, for capital improvements expenditures throughout the KDOC System for FY 2022. This is an all funds increase of \$1.9 million, or 14.6 percent, and an SGF decrease of \$4.2 million, or 68.2 percent, from the agencies' FY 2022 request. The increase is attributable to the shift of expenditures related to the replacement of adult and juvenile offender management data systems from operating expenditures to capital improvements expenditures. The recommendation also includes a shift of \$6.1 million from SGF to special revenue funds for final year expenditures of capacity expansion projects at the Lansing and Winfield correctional facilities.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation for FY 2022 with the following notations:

1. Review at Omnibus, the addition of \$3.8 million, all SGF, for the agency's enhancement requests to increase unit team counselor and parole officer pay for FY 2022. The adjustment would increase pay by 15.0 percent in order to achieve equity with recent pay increases for correctional officers.
2. Review at Omnibus, the potential to utilize COVID-19 federal relief funds to support replacement of adult and juvenile offender management data systems for FY 2022. The Governor recommends expenditures totaling \$2.1 million for the replacement of data systems, which includes \$2.0 million from the Evidence-Based Juvenile Programs account of the SGF and \$79,182 in new SGF moneys, for FY 2022.

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation for FY 2022.

Senate Committee of the Whole (Sub. for SB 267)

The **Committee of the Whole** concurs with the Committee's recommendation for FY 2022.

House Budget Committee Report

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Bill No. HB 2397

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principal payment, and adds new SGF expenditures for debt service interest payments on a multi-year loan;

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House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation for FY 2022 with the following adjustment and notations:

1. Appropriate the Juvenile Crime Community Prevention account of the SGF for FY 2022;
 - Add \$1.5 million, all SGF, to a new Juvenile Crime Community Prevention account and delete \$1.5 million, all SGF, from the Evidence-Based Juvenile Programs account for FY 2022;
 - Add language that funds be made available as grants to communities for evidence-based juvenile crime prevention programs;
 - Add language providing that of the \$1.5 million appropriated to the fund, \$500,000 be used solely for a dollar for dollar cash match for funds provided by sources other than KDOC; and
 - The Budget Committee notes it's intent that reappropriation be permitted for the fund for FY 2023.

House Committee Recommendation

The **Committee** concurs with the Budget Committee's recommendation for FY 2022 with the following adjustments and notations:

1. Delete \$300,000, all SGF, from the Evidence-Based Juvenile Programs account to make funds available in Juvenile Transitional Crisis Center Pilot Project account in the Department of Education for FY 2022. Review this adjustment at Omnibus.

2. Add language to appropriate a no-limit federal Prison Rape Elimination Act (PREA) Justice Assistance Grant fund for FY 2022. Appropriation of this fund would enable continued expenditures in the Facilities Management program from a federal grant provided in FY 2020 to support PREA compliance efforts.
3. Add language to appropriate a no-limit federal Violence Against Women Act Grant fund for FY 2022. Appropriation of this fund would enable continued expenditures in the Victim Services program from a federal grant provided in FY 2020.

Larned Correctional Mental Health Facility

1. Add language to appropriate a no-limit federal Coronavirus Emergency Supplemental Grant Fund for FY 2022. Appropriation of this fund would enable continued expenditures from a federal grant provided in FY 2021 by the US Department of Justice for COVID-19 response.

House Committee of the Whole Recommendation (Sub. for HB 2397)

The **Committee of the Whole** concurs with the Committee's recommendation for FY 2022 with the following adjustment:

1. Add language to delete 2.0 percent of SGF appropriations and reappropriations, excluding debt service, for FY 2022.