

Senate Subcommittee Report

Agency: Department of Corrections

Bill No. SB 268

Bill Sec. 43

Analyst: Riedel

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Budget Page No. 386-431

Expenditure Summary	Agency Estimate FY 2021	Governor Recommendation FY 2021	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 429,359,614	\$ 390,919,578	\$ 0
Other Funds	40,952,762	69,118,695	0
<i>Subtotal</i>	<u>\$ 470,312,376</u>	<u>\$ 460,038,273</u>	<u>\$ 0</u>
Capital Improvements:			
State General Fund	\$ 7,208,190	\$ 7,208,190	\$ 0
Other Funds	10,805,904	11,591,369	0
<i>Subtotal</i>	<u>\$ 18,014,094</u>	<u>\$ 18,799,559</u>	<u>\$ 0</u>
TOTAL	<u>\$ 488,326,470</u>	<u>\$ 478,837,832</u>	<u>\$ 0</u>
FTE positions	3,364.5	3,364.5	0.0

Agency Estimate

The **agencies** request a revised estimate of \$488.3 million, including \$436.6 million from the State General Fund (SGF), for the entire Kansas Department of Corrections (KDOC) System in FY 2021. These are expenditures for KDOC, Kansas Correctional Industries, eight adult correctional facilities, and the Kansas Juvenile Correctional Complex. This is an all funds decrease of \$25.2 million, or 4.9 percent, and an SGF decrease of \$32.1 million, or 6.8 percent, below the FY 2021 approved amount. The revised estimate includes 3,364.5 FTE positions for the KDOC System, which is an increase of 22.0 FTE positions above the FY 2021 approved amount. The position increase is mainly temporary correctional officer positions at the Larned Correctional Mental Health Facility (LCMHF) to support a temporary COVID-19 intake isolation unit at the former Larned Juvenile Correctional Facility.

The agencies request revised operating budgets totaling \$470.3 million, including \$429.4 million SGF, in FY 2021. This is an all funds decrease of \$27.4 million, or 5.5 percent, and an SGF decrease of \$32.1 million, or 7.0 percent, below the FY 2021 approved amount. The decrease is primarily attributable to decreased expenditures from the Evidence-Based Juvenile Programs account (\$42.2 million) to align with the Governor's proposed allotment plan. Such an allotment requires legislative approval pursuant to KSA 75-3722. The decrease is partially offset by increased expenditures for the agencies' supplemental requests to fully fund the correctional system's medical services contract (\$9.4 million) and the food service contract (\$665,185). The agency budgeted \$10.6 million for contracted beds at the Saguaro Correctional Facility in Eloy, Arizona, and county jails. Additionally, the agencies budgeted \$1.5 million, all from a federal grant, to use the former Larned Juvenile Correctional Facility as a COVID-19 intake isolation unit for adult male offenders.

The FY 2021 revised estimate includes capital improvements expenditures for the KDOC System of \$18.0 million, including \$7.2 million SGF. This is an all funds increase of \$2.2 million, or 13.9 percent, and an SGF decrease of \$22,718, or 0.3 percent, from the FY 2021 approved amount. The increase is primarily attributed to increased expenditures, all from special revenue funds, for routine repair and rehabilitation projects at correctional facilities (\$4.3 million). The agency budgeted \$7.2 million SGF in first-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 \$478.8 million, including \$398.1 million SGF, for the entire KDOC System in FY 2021. This is an all funds decrease of \$9.5 million, or 1.9 percent, and an SGF decrease of \$38.4 million, or 8.8 percent, below the agencies' FY 2021 revised estimate. The recommendation includes 3,364.5 FTE positions for the KDOC System, which is unchanged from the agencies' revised estimate.

The Governor recommends agency operating budgets totaling \$460.0 million, including \$390.9 million SGF, in FY 2021. This is an all funds decrease of \$10.3 million, or 2.2 percent, and an SGF decrease of \$38.4 million, or 9.0 percent, below the agencies' FY 2021 revised estimate. The recommendation includes a lapse of \$42.2 million from the Evidence-Based Juvenile Programs account of the SGF, as part of the Governor's allotment plan. The decrease is partially attributable to a lapse of other SGF moneys reappropriated from FY 2020. Adjustments to the agency's revised estimate include:

- A decrease of \$9.1 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 \$4.0 million SGF for inmate food services and health care due to a lower than previously anticipated prison population; and
- An increase of \$28.2 million from the federal Coronavirus Relief Fund due to allocations from the SPARK Taskforce for salaries and wages expenditures at correctional facilities (\$25.0 million) and the Central Office (\$2.6 million), as well as the procurement of personal protective equipment (\$551,651), in response to the COVID-19 pandemic. The increase is partially offset by a decrease of \$25.0 million in SGF.

The Governor recommends \$18.8 million, including \$7.2 million SGF, for capital improvements expenditures throughout the KDOC System in FY 2021. This is an increase of \$785,465, all from federal CARES Act funds, or 4.4 percent, above the agencies' FY 2021 revised estimate. The increase is attributable to an allocation of \$785,465 from the federal Coronavirus Relief Fund for a COVID-19 quarantine unit at the Winfield Correctional Facility and intake isolation unit at the Topeka Correctional Facility. The recommendation includes \$7.2 million SGF in first-year expenditures for two-year capacity expansion projects at the Lansing and Winfield correctional facilities.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation in FY 2021 with the following adjustment:

1. Review at Omnibus, the addition of \$42.2 million, all SGF, to the Evidence-Based Juvenile Programs account to restore funding lapsed in the Governor's recommendation in FY 2021. The restored funding would supplement \$14.3 million in existing expenditures from the account for grants and statewide contracts supporting evidence-based community programs for juveniles and their families to decrease reliance upon incarceration.

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation in FY 2021 with the following adjustment and notation:

1. Add \$21.1 million, all SGF, to the Evidence-Based Juvenile Programs account to restore half of the funding lapsed in the Governor's recommendation in FY 2021. Review the restoration of the remaining half at Omnibus.

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

The **Committee of the Whole** concurs with the Committee's recommendation in FY 2021.

House Budget Committee Report

Agency: Department of Corrections

Bill No. HB 2396

Bill Sec. 43

Analyst: Riedel

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

Budget Page No. 386-431

Expenditure Summary	Agency Estimate FY 2021	Governor Recommendation FY 2021	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 429,359,614	\$ 390,919,578	\$ 42,190,641
Other Funds	40,952,762	69,118,695	0
<i>Subtotal</i>	<u>\$ 470,312,376</u>	<u>\$ 460,038,273</u>	<u>\$ 42,190,641</u>
Capital Improvements:			
State General Fund	\$ 7,208,190	\$ 7,208,190	\$ 0
Other Funds	10,805,904	11,591,369	0
<i>Subtotal</i>	<u>\$ 18,014,094</u>	<u>\$ 18,799,559</u>	<u>\$ 0</u>
TOTAL	<u>\$ 488,326,470</u>	<u>\$ 478,837,832</u>	<u>\$ 42,190,641</u>
FTE positions	3,364.5	3,364.5	0.0

Agency Estimate

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The agencies request revised operating budgets totaling \$470.3 million, including \$429.4 million SGF, in FY 2021. This is an all funds decrease of \$27.4 million, or 5.5 percent, and an SGF decrease of \$32.1 million, or 7.0 percent, below the FY 2021 approved amount. The decrease is primarily attributable to decreased expenditures from the Evidence-Based Juvenile Programs account (\$42.2 million) to align with the Governor's proposed allotment plan. Such an allotment requires legislative approval pursuant to KSA 75-3722. The decrease is partially offset by increased expenditures for the agencies' supplemental requests to fully fund the correctional system's medical services contract (\$9.4 million) and the food service contract (\$665,185). The agency budgeted \$10.6 million for contracted beds at the Saguaro Correctional Facility in Eloy, Arizona, and county jails. Additionally, the agencies budgeted \$1.5 million, all from a federal

grant, to use the former Larned Juvenile Correctional Facility as a COVID-19 intake isolation unit for adult male offenders.

The FY 2021 revised estimate includes capital improvements expenditures for the KDOC System of \$18.0 million, including \$7.2 million SGF. This is an all funds increase of \$2.2 million, or 13.9 percent, and an SGF decrease of \$22,718, or 0.3 percent, from the FY 2021 approved amount. The increase is primarily attributed to increased expenditures, all from special revenue funds, for routine repair and rehabilitation projects at correctional facilities (\$4.3 million). The agency budgeted \$7.2 million SGF in first-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

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The Governor recommends agency operating budgets totaling \$460.0 million, including \$390.9 million SGF, in FY 2021. This is an all funds decrease of \$10.3 million, or 2.2 percent, and an SGF decrease of \$38.4 million, or 9.0 percent, below the agencies' FY 2021 revised estimate. The recommendation includes a lapse of \$42.2 million from the Evidence-Based Juvenile Programs account of the SGF, as part of the Governor's allotment plan. The decrease is partially attributable to a lapse of other SGF moneys reappropriated from FY 2020. Adjustments to the agency's revised estimate include:

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The Governor recommends \$18.8 million, including \$7.2 million SGF, for capital improvements expenditures throughout the KDOC System in FY 2021. This is an increase of \$785,465, all from federal CARES Act funds, or 4.4 percent, above the agencies' FY 2021 revised estimate. The increase is attributable to an allocation of \$785,465 from the federal Coronavirus Relief Fund for a COVID-19 quarantine unit at the Winfield Correctional Facility and intake isolation unit at the Topeka Correctional Facility. The recommendation includes \$7.2 million SGF in first-year expenditures for two-year capacity expansion projects at the Lansing and Winfield correctional facilities.

House Budget Committee

The **Budget Committee** concurs with the Governor's recommendation in FY 2021 with the following adjustment and notation:

1. Add \$42.2 million, all SGF, to the Evidence-Based Juvenile Programs account to restore funding lapsed in the Governor's recommendation in FY 2021. The restored funding would supplement \$14.3 million in recommended expenditures from the account for grants and statewide contracts supporting evidence-based community programs for juveniles and their families to decrease reliance upon incarceration.
2. The Budget Committee directs the Central Office to provide a cost estimate prior to Omnibus for a study of repurposing the Kansas Juvenile Correctional Complex and establishing three or more smaller, regional juvenile facilities. Regions for consideration should include south-central, northeast, and western Kansas, with a preference toward utilizing existing state and county facilities rather than new construction. The study should also address future plans for the former Larned Juvenile Correctional Facility and other underutilized facilities within the correctional system.

House Committee Recommendation

The **Committee** concurs with the Budget Committee's recommendation in FY 2021.

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

The **Committee of the Whole** concurs with the Committee's recommendation in FY 2021.