

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE.

The meeting was called to order by Chairperson Senator Nancey Harrington at 10:30 a.m. on February 21, 2002 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Russell Mills, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Theresa Kiernan, Office of the Revisor
Nikki Kraus, Committee Secretary

Conferees appearing before the committee:

Lt. Col. Terry Maples, Assistant Superintendent, Highway Patrol
Ramon R. Gonzalez, Jr., Captain, Kansas Highway Patrol

Others attending: Please see attached

Chairperson Harrington stated that she had spoken with Senator Lana Oleen a few weeks earlier, and she had recommended a review of Capitol security for the committee to the Chair. Chairperson Harrington stated that she had appreciated Senator Oleen's input. She stated that the committee would begin the meeting by handling some bill introductions.

Senator Karin Brownlee asked the committee for the introduction of a bill concerning foster care. She stated that there are two main things that the bill changes, including definitions for abuse and neglect, and making it very important to have clear and convincing evidence to put people on the child abuse and neglect registry. She stated that currently, the burden of proof for that is more likely than not, and it is more of an administrative procedure. She stated that this would turn it into a situation where they would actually have a hearing in court and where there would have to be clear and convincing evidence. She stated that when people are put on that abuse registry, it can be very devastating to their careers, their future, and so on.

Senator O'Connor made a motion to introduce the bill. Senator Vratil seconded the motion. The bill was introduced.

Steve Kearney, Petroleum Marketers and Convenience Store Association of Kansas, presented testimony on behalf of Tom Palace, Petroleum Marketers and Convenience Store Association of Kansas, asking the committee for the introduction of two bills. **(Attachment 1)** He stated that the first bill dealt with video lottery machines, which would be controlled and regulated by the Lottery Director. He stated that revenue estimates for this in the first full year would generate twenty-two hundred to three-hundred million dollars net for the state of Kansas.

In response to a question from Senator Gooch, Mr. Kearney stated that the lottery officials had given them technical advice, but do not have a position on these machines. Chairperson Harrington stated that she had spoken with Mr. Palace and asked him to speak with the President of the Senate and leadership about whether or not these bills should even be introduced. She stated that he must have done so and felt comfortable asking for their introduction.

Senator Vratil made a motion that the bill be introduced. Senator Brungardt seconded the motion. The bill was introduced.

Mr. Kearney stated that the second bill he would like the committee to introduce dealt with the creation of a single-strength beer. **(Attachment 2)** He stated that the committee members had explanations of what the difference was between liquor sold in a liquor store and liquor sold in convenience grocery stores, which is called a cereal malt beverage. He stated that when they are measured, there is a comparison to apples, which are measured in terms of weight as opposed to volume in liquor stores, and if these two measurements were consistent, the difference between the two would be virtually infinitesimal. He stated that this bill would request the creation of one class of beer instead of two, which was a fiction which was created years ago on

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the heels of prohibition. He stated that the fiscal note on this change was a positive one of about five million dollars.

Senator Vratil made a motion to introduce the bill. Senator O'Connor seconded the motion. The bill was introduced.

Lt. Col. Terry Maples, Assistant Superintendent, Highway Patrol presented the State Trooper "Kansas Capitol Police 'Overview Video.'" He also stated that head of Capitol Security, Captain Ramon R. Gonzalez, Jr., would brief the committee after the video to answer any questions.

Captain Gonzalez presented testimony to the committee outlining the history of his organization. **(Attachment 3)** He also presented an organizational chart of the organization. **(Attachment 4)** He then presented a chart of the Capitol Police chain of command. **(Attachment 6)**

Mr. Gonzalez stated that parking had become a big problem, and he and Chairperson Harrington thanked Mr. Jeff Russell, Director, Legislative Services, for being in the committee meeting and for his help with the parking situation.

In response to a question from Senator O'Connor, Mr. Gonzalez stated that staff has not increased, but visibility had following the events of September 11, 2001.

Senator Gooch asked what the difference was between the Highway Patrol versus the Police. Mr. Gonzalez stated that the Capitol Police are police officers, not Troopers, but the Capitol Police are under the Highway Patrol's jurisdiction. He stated that the reason for the divisions are that they serve two different functions.

In response to another question from Senator Gooch regarding monitoring, Mr. Gonzalez stated that there is a centralized monitoring system in the Capitol complexes through cameras in the building in the most traveled areas. Mr. Gonzalez stated that the system is monitored from the Docking Building, and that runs seven days a week, twenty-four hours a day.

In response to a question from Senator Teichman, Mr. Gonzalez stated that there were requests to the Department of Administration to increasing staffing, and Senator Teichman stated that she would like to encourage him to pursue that. Chairperson Harrington thanked Mr. Gonzalez for his appearance, and for his organization's work.

Mr. Jeff Russell stated that he would respond to any questions the committee might have. He stated that the good news out of this is that the Department of Administration, the Highway Patrol, and the Legislative staff are working together as seamlessly as possible, and there haven't been any major discussions or problems. Chairperson Harrington thanked him and stated that it was worth pointing out considering 9/11.

In response to a question from Senator Gooch, Mr. Gonzalez stated that people who can access the building using card keys have the authority to be in the building. He stated that visitors without this access would be asked to sign in so that officers would know who was in the building. Mr. Gonzalez thanked the committee for allowing him to appear and instructed members to call him with any questions they might have.

The meeting was adjourned at 11:28 a.m. The next meeting will be held at 10:30 a.m. on February 22, 2002.