

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Mike Petersen at 8:30 am on Thursday, February 11, 2016, 546-S of the Capitol.

All members were present except:

Senator Jeff King – Excused  
Senator Steve Fitzgerald – Excused  
Senator Pat Pettey – Excused

Committee staff present:

Scott Wells, Office of Revisor of Statutes  
Jill Shelley, Legislative Research Department  
Whitney Howard, Legislative Research Department  
Adam Siebers, Office of Revisor of Statutes  
Carolyn Long, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Col. Mark A. Bruce, Superintendent, Kansas Highway Patrol  
Ed Klumpp, Kansas Association of Chiefs of Police

Others in attendance:

[See Attached List](#)

**Hearing on: SB350 — Creating the Kansas highway patrol staffing and training fund; vehicle registration fees.**

Chairman Petersen opened the hearing on **SB-350** and welcomed Colonel Mark Bruce, Superintendent, Kansas Highway Patrol, to the Committee. Col. Bruce said he was there representing the men and women of the Patrol and would share with the Committee what they referred to as their manpower initiative in hopes of reversing the trend of the "disappearing trooper."

Last year the Patrol came to the Legislature with an approach to increase their numbers. First was to implement a comprehensive pay plan with raises in a 3-year period, with a 2-year alternating pattern. The first half of of this plan was put into effect this past month and has set the way for an aggressive recruitment package.

The second part of the plan was the need to keep retirement-eligible officers on the job longer. If the Patrol could accomplish that, along with aggressive recruitment, stabilization should occur. To encourage troopers to work longer, the Deferred Retirement Option Plan (DROP) was adopted. This program would allow a trooper, once eligible for retirement, to defer receipt of his or her retirement benefit for a specified time while the trooper continues to work. At the end of this period of time, usually 3-5 years, members withdraw from the DROP and terminate their employment. Their

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retirement benefits are based on service credit earned at the time of entering the DROP, plus a lump-sum payment equal to the amount that was deposited into their DROP accounts. This plan coupled with the competitive pay plan increases the attractiveness of the Patrol as an employer.

Col. Bruce said that the Patrol faces the same challenges regarding the increase in violence that other parts of the country are experiencing and stated that currently they are not equipped to handle a situation such as what occurred in Ferguson, Missouri, with their current staffing. he said Kansas is not immune to civil unrest, it is just a matter of when.

Drug trafficking continues to be a state-wide problem and notable seizures of illegal drugs have occurred, especially along the I-70 corridor. To be classified a "seizure" the amount must be at least 1-pound of marijuana, a pound of cocaine, or 1-pound of methamphetamine.

Criminal interdiction seizures for 2015, which resulted in 372 arrests included 28 grams of mushrooms, 6674 grams of heroin, 384 pounds of methamphetamine, 61 pounds of cocaine, 960 ounces of marijuana edibles, 3766 pounds of marijuana and 37 guns.

Col. Bruce continued, saying the current reduced workforce here in Kansas has a large impact on our state. 35 counties currently are not served by the Patrol, while 30 other counties have only one trooper. The Trooper population in 2006 numbered 501 while current numbers show a decline to 399 troopers. Kansas ranks last in neighboring states, with Missouri at the top with 1,251. The Patrol, per trooper, serves 7,278 individuals, an alarmingly high rate which results fewer DUI arrests, moving hazardous violation arrests, and speed arrests.

The KHP provides assistance to 429 law enforcement agencies across the state, 70% of which have 2 or fewer officers. Among the services the Patrol provides to those agencies are:

- The Patrol is the only Kansas law enforcement agency with air assets;
- Provides bomb technicians, canines, and ordinance disposal for 75% of Kansas;
- Breath Alcohol Unit trains other agencies in DUI detection and apprehension;
- Assists with auto theft/title laundering investigations;
- Provides crime scene mapping and accident reconstruction;
- A Special Response Team providing support in high-risk situations, shootings, barricaded subjects, hostages;
- Members of a Joint Terrorism Task Force and Drug Enforcement Agency Task Force to enhance homeland security;
- Trains and audits all law enforcement users of the Kansas Criminal Justice Information System;
- Provides PEER Team support and critical incident debriefings; and,
- Provides an automated reporting system for outside law enforcement agencies.

Summing up his presentation, Col. Bruce said passage of this legislation would enable the KHP to

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expand its workforce by 75 troopers by the end of FY 2018 without returning to the Legislature for supplemental funding and would enable the Patrol to continue funding annual recruitment classes of 15 in subsequent years.

Responding to questions from the Committee, Col. Bruce stated that other reasons, besides a competitive pay plan contributing to their low numbers, was their inability to find qualified candidates and that a recruit's first duty assignment could require that officer to relocate. Addressing the large percentage of drug captures occurring on I-70 and not I-35, he stated it was a matter of staffing issues and troopers were placed where the Patrol felt there was the greatest need ([Attachment 1](#)).

Chairman Petersen thanked Col. Bruce for his presentation and recognized Ed Klumpp, representing the Kansas Association of Chiefs of Police, who spoke in favor of the bill. Mr. Klumpp re-emphasized that the KHP provides vital services to assist local public safety efforts. he also noted the large proportions of local law enforcement agencies with few officers. Rural areas are highly dependent on assistance from the KHP, and while the Patrol maintains its professionalism, the ability to assist local law enforcement has become strained. Response times have increased due to the fact that the availability of on-duty officers has decreased. He feels it is time to restore this essential public safety service of state government ([Attachment 2](#)).

Mr. Klumpp, responding to questions from the Committee, stated that he felt it was unfortunate to have to obtain funding in this manner but funding would not be available through the General Fund. He felt that 99.9% of officers are doing the right thing for the right reasons and that the negative media coverage is unfortunate.

Written testimony in favor of the bill was presented by Sheriff Jeff Herrig, Jefferson County ([Attachment 3](#)) and Mitch Mellick, Kansas State Troopers Association ([Attachment 4](#)).

Neutral written testimony was presented by Linda Coon, President, Kansas County Treasurers Association ([Attachment 5](#)) and Tom Franzen, Johnson County Treasurer and Finance Director ([Attachment 6](#)). They requested the Committee also consider increasing fees to the county treasurers for motor vehicle services they provide.

There being no further testimony, Chairman Petersen closed the hearing on **SB 350**.

### **Possible action on bills previously heard**

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No action was taken.

The meeting was adjourned at 9:13 a.m. The next meeting is scheduled for Tuesday, February 16, 2016.

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