

Approved April 22, 1983  
Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

4:23 ~~xxx~~/p.m. on April 7, 1983 in room 531N of the Capitol.

All members were present except:

Senator Gaines  
Senator Gaar

Committee staff present:

Norm Furse - Revisor  
Julian Efird - Legislative Research

Conferees appearing before the committee:

The Committee met upon adjournment of the Senate to have further discussion and action on measures previously heard.

Attention was turned to Senate Concurrent Resolution 1625. Senator Hein made a motion favoring the amendment to this bill which would make a technical change in the regulation that would take effect on May 1. This was seconded by Senator Mulich. Motion carried.

Senator Hein then made the motion to pass this bill favorably out of committee. Senator Francisco seconded this. Motion carried.

The discussion then turned to Senate Bill 277 and a Substitute for Senate Bill 277 was distributed to members of the committee. (Exhibit A) Senator Daniels had requested a "grandfather clause" in New Section 1 (3) which was inserted to read "who holds a permanent appointment as a police officer of law enforcement officer on July 1, 1983 and deleting the words "hold an elected position or". A motion was made by Senator Hein to change the word "Two" in New Section 2 (d) to read "Any". Senator Francisco seconded this. Motion carried.

Senator Mulich then made a motion to pass Senate Bill 277 favorably out of committee. Senator Francisco seconded. Motion carried.

The Chairman instructed the Revisor to "walk through" House Bill 2327 and explain the amendments as submitted. The committee agreed to approve and/or change amendments by consensus. Changes that were agreed to were:

- to put back the deleted wording in line 145
- to amend the balloon version with the paragraph on Films and Tapes (Exhibit B) to include a copyright amendment
- to request that the Revisor check out lines 184-187 for clarity
- to strike the word "real" in line 298
- to insert in line 256 after the period the words "or informant reporting a specific violation of law."
- to re-insert the words "unfunded grant proposals", in line 331
- to delete as shown lines 337-342
- to strike amendment (30) on page 11
- to strike amendment (31) on page 11
- to insert the words "employee or" in line 251
- to re-insert New Section 9 in lines 441-443
- to delete the words "court costs and" in lines 426-427 and also in lines 433-434
- to change the policy decision for the Governor's papers to apply to universities and not just the Regents institutions

Inasmuch as the committee was running out of time, Senator Johnston made the motion the pass House Bill 2451 favorably out of committee. Senator Hein seconded this. Motion carried.

CONTINUATION SHEET

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The Chairman announced that another meeting would be schedule to complete the assigned work.

Meeting was adjourned at 6:25 p.m.

GUEST LIST

COMMITTEE: Senate Governmental Organization DATE: April 7, 1983

NAME	ADDRESS	COMPANY/ORGANIZATION
<del>John K...</del>	Topeka	K. A. B. B.
Nora Crouse	Topeka	Rep Neal Whitaker
Richard vonLande	Laurance	The University of Kansas
Greg D. Cogswell	Topeka	RL Polk & Co.
Mike Johnston	Parsons	The People
Ed Schaub	Topeka	SUBT
Walt Holt	"	Detroit Area
Ken Resler	"	"
Bill Anderson	Muson	Water Dist #1 Joco
St. Mosher	Topeka	Legends Mining
Chris McKenzie	"	" " "

## Substitute for SENATE BILL NO. 277

By Committee on Federal and State Affairs

AN ACT relating to law enforcement and law enforcement training; amending K.S.A. 1982 Supp. 74-5601, 74-5604a, 74-5605 and 74-5607 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Every police officer and law enforcement officer shall be certified to perform the function of law enforcement by the Kansas law enforcement training commission. The commission's certification shall be awarded to persons: (1) Who are at least 21 years of age, have successfully completed or satisfied the training requirements specified by subsection (a) of K.S.A. 1982 Supp. 74-5607a and amendments thereto and meet the requirements of K.S.A. 1982 Supp. 74-5605 and amendments thereto; or (2) who received a permanent appointment as a police officer or law enforcement officer prior to July 1, 1969; or (3) who ~~held~~ holds an ~~elected position~~ or a permanent appointment as a police officer or law enforcement officer on July 1, 1983.

(b) The commission may suspend, revoke or deny the certification of a police officer or law enforcement officer who fails to meet the requirements of K.S.A. 1982 Supp. 74-5605 and amendments thereto or has met such requirements by falsifying documents or failing to disclose information required for certification.

(c) The commission may adopt such rules and regulations to establish the procedure for the suspension, revocation and denial of certification of a person as a police officer or law enforcement officer or an applicant for certification. A hearing shall be conducted to determine the justification for suspending, revoking or denying certification of a police officer or law enforcement officer.

New Sec. 2. (a) Every candidate for a position as a police officer or law enforcement officer shall meet the minimum

Ex. A

training criteria specified in K.S.A. 74-5605 and amendments thereto and shall have attained 21 years of age.

(b) For the purpose of determining the eligibility of an individual for certification under this act, the commission may require the submission of training and education records, and experience history, medical history, medical examination, reports and records, and interview appraisal forms.

(c) Law enforcement agencies in Kansas shall be responsible for their agency's observance of the hiring requirements of this section.

(d) No law enforcement agency head or other appointing authority shall knowingly permit the hiring of any person in violation of the requirements of this act. <sup>Any</sup> ~~two~~ violations of the requirements of this act shall be deemed to constitute misconduct in office and shall subject the agency head or appointing authority to removal from office pursuant to K.S.A. 60-1205 and amendments thereto.

(e) The commission shall make such inquiry as necessary to determine compliance with the requirements of this section and the rules and regulations adopted under it.

(f) It shall be the responsibility of the agency head to ensure that every police officer or law enforcement officer under their supervision has the opportunity to receive the mandatory training as prescribed in K.S.A. 1982 Supp. 74-5604a and amendments thereto.

Sec. 3. K.S.A. 1982 Supp. 74-5604a is hereby amended to read as follows: 74-5604a. (a) The associate director shall establish a program for periodically extending the law enforcement training and instruction of the training center throughout the state on a regional basis. The associate director also shall certify annually the training schools of state and local law enforcement agencies providing a course of law enforcement training for full-time police officers or law enforcement officers of not less than 320 hours of instruction, and whose training programs also satisfy the qualifications and

standards promulgated by the associate director after approval of the commission. The associate director shall establish a course in basic law enforcement training of 80 hours for part-time police officers or law enforcement officers, approved by the commission, to be provided at the training center and certified state and local law enforcement training schools. In addition, on or after November 20 of each election year and prior to January 1 of the next succeeding year, and at such other times as the associate director deems necessary, the associate director shall commence a training course for persons elected to the office of sheriff at the preceding general election and for undersheriffs and deputy sheriffs.

(b) The associate director shall conduct a pretraining evaluation of applicants for admission to the course for law enforcement officers conducted by the training center or to any certified state or local law enforcement training school to assure that each applicant is qualified to serve as a law enforcement officer. The associate director shall adopt minimum standards, which shall receive prior approval by the commission, to be considered in the pretraining evaluation. The associate director shall advise the city, county or state agency authorizing the applicant to attend the training center or certified state or local law enforcement training school of the results of the pretraining evaluation. The associate director may, with approval of the commission, reject an applicant to the training center who does not meet the minimum pretraining standards.

Sec. 4. K.S.A. 1982 Supp. 74-5605 is hereby amended to read as follows: 74-5605. Every applicant for admission to a course for police officers or law enforcement officers conducted by the training center shall be ~~a--police-officer-or-law-enforcement-officer-as-defined--in--subsection--(e)--of--K.S.A.--74-5602--and amendments--thereto~~ an employee of a state, county or city law enforcement agency or a railroad policeman appointed pursuant to K.S.A. 66-524 and amendments thereto. Prior to admission to a

course conducted at the training center or at a certified state or local law enforcement agency, the applicant shall furnish to the associate director a statement from the applicant's department head certifying the applicant's fulfillment of the following requirements. The applicant:

(a) Is a United States citizenship citizen.;

~~(b) --is-at-least-21-years-of-age.~~

~~(c) (b) Fingerprinting-and~~ has been fingerprinted and a search of local, state and national fingerprint files has been made to determine whether the applicant has a criminal record.;

~~(d) (c) Shall~~ has not have been convicted, and does not have an expunged conviction. by any state or the federal government of a crime which is a felony or its equivalent under the uniform code of military justice.;

~~(e) (d) Be is~~ the holder of a high-school diploma or furnish furnishes evidence of successful completion of an examination indicating an equivalent achievement.;

~~(f) (e) is of~~ good moral character.; and

~~(g) (f) is free of any condition which might adversely affect the applicant's performance or--duty--as-a of a police officer's or law enforcement officer's duties.~~

Sec. 5. K.S.A. 1982 Supp. 74-5607 is hereby amended to read as follows: 74-5607. (a) In addition to other powers and duties prescribed by law, ~~it shall be the duty of~~ the commission ~~to advise and counsel in the operation of the law enforcement training center~~ shall adopt rules and regulations necessary for the administration of the Kansas law enforcement training act. The commission may also adopt such rules of procedure as are necessary for conducting the business of the commission.

(b) Members of the law enforcement training commission attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223 and amendments thereto. The director and the chairperson of the commission shall be responsible for approving all expense

vouchers of members.

(c) The commission shall meet at least once each year at the training center and may hold special meetings whenever such are called by the chairperson.

Sec. 6. K.S.A. 1982 Supp 74-5601 is hereby amended to read as follows: 74-5601. The provisions of K.S.A. 74-5601 to 74-5611, inclusive, and amendments thereto, ~~and~~ K.S.A. 1982 Supp. 74-5604a, 74-5607a, 74-5609a and 74-5611a and sections 1 and 2 shall be known and be cited as the Kansas law enforcement training act.

Sec. 7. K.S.A. 1982 Supp. 74-5601, 74-5604a, 74-5605 and 74-5607 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.



Films and Tapes

Insert on page 4, line 128, after the period: "A public agency shall not be required to provide copies of radio or recording tapes or discs, video tapes or films, pictures, slides, graphics, illustrations or similar audio or visual items or devices, unless such items or devices were shown or played to a public meeting of the governing body thereof."