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Date

4/10/85

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:00 a.m./~~p.m.~~ on March 25, 1985 in room 254-E of the Capitol.

All members were present. ~~except~~

Committee staff present:

Fred Carman, Assistant Revisor of Statutes
Russell Mills, Legislative Research
June Windscheffel, Committee Secretary

Conferees appearing before the committee:

Representative Judy Runnels
Joseph W. Zima, Assistant County Counselor, Topeka, Kansas

HB2242 - law enforcement training requirements; exemption for jail personnel.

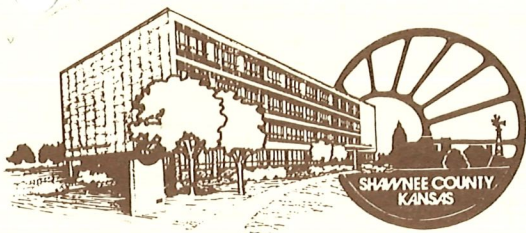
The Chairman introduced Representative Judy Runnels. Representative Runnels said she was appearing as Chair of the Shawnee County Delegation, all of whom support HB2242.

Representative Runnels introduced Assistant County Counselor, Joseph W. Zima, to present testimony in favor of the bill. A copy of his statement is Attachment #1. There were questions from the Committee, and there was much discussion, but no action was taken on the bill.

SB202 - prohibiting certain target practicing or trapshooting.

The Chairman stated that Senator Francisco, author of SB202, said that the problem which had been responsible for the bill being introduced had apparently been resolved, and he had asked that the bill not be considered. Senator Morris moved that SB202 be reported adversely. 2d by Senator Vidricksen. Motion carried.

The meeting was adjourned.



Shawnee County Office of County Counselor

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County Counselor
JOSEPH W. ZIMA
Asst. County Counselor

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Attachment #1

April 26, 1985

Senator Ed Reilly
Room 255E
State Capitol Building
Topeka, Kansas 66612

RE: House Bill 2242

Dear Senator Reilly:

June asked if I could prepare a synopsis of my remarks to the committee on March 25, 1985 regarding House Bill 2242. I had no prepared remarks, because I was requested to be present to answer any questions the committee might have about the Shawnee County Department of Corrections. The committee had several questions, which covered the following areas:

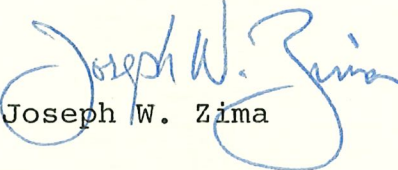
1. The Shawnee County Department of Corrections was created by home rule legislation to administer the operation of the Shawnee County Work Release Center and the Shawnee County Youth Center.
2. Shawnee County later combined the administration of the jail with the Shawnee County Department of Corrections pursuant to K.S.A. 12-3901 et seq.
3. The purpose in this was to attract career correctional officers to run the jail, not frustrated "street cops".
4. In my opinion, the Shawnee County Department of Corrections clearly meets the definition of the term "law enforcement officer" as that term is used in K.S.A. 1984 Supp. 22-2202(13). However, the criminal code definition, K.S.A. 21-3110(10), is not so clear - especially in light of the distinction between law enforcement officers and jail personnel made in K.S.A. 1984 Supp.

21-4201(2) (a) and (b). Likewise, the Kansas Law Enforcement Training Act's definition of "law enforcement officer", as found in K.S.A. 1984 Supp. 74-5602(e), does not clearly include or exempt County Department of Corrections' personnel.

5. Since there exists a question as to whether or not Shawnee County Department of Correction personnel are required to attend the Kansas Law Enforcement Training Center academy, I recommend that Shawnee County seek a clear statement of legislative intent as set out in House Bill 2242.
6. The Shawnee County Department of Corrections trains its officers at Washburn University and does not wish to unnecessarily spend time and money training correctional officers in street law enforcement procedures. Passage of House Bill 2242 will provide some recognition of Shawnee County's unique situation and will avoid the potential of a lawsuit from any officer who would be fired pursuant to K.S.A. 1984 Supp. 74-5607(c) because someone in the future decides that Shawnee County Department of Correction officers should have been sent to the Kansas Law Enforcement Training Center all along under the current language of 74-5602(e).

Please let me know if I can be of any further assistance to you in this matter. Thank you for your assistance in helping the passage of this bill into law.

Yours truly,


Joseph W. Zima

JWZ/tjd

cc