

Approved April 2, 1987  
Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

1:25 ~~am~~/p.m. on April 1, 1987 in room 531N of the Capitol.

All members were present except:

Senator Bogina  
Senator Gaines  
Committee staff present:  
Julian Efird - Research  
Jill Wolters - Revisor

Conferees appearing before the committee:

Captain John Round - Overland Park Police Department

The Chairman called the meeting to order for the purpose of taking action on several bills.

The first bill discussed was HB 2382 concerning cosmetologists. There was a brief discussion and Senator Hoferer made a motion to recommend HB 2382 as favorable for passage. This was seconded by Senator Frey. Motion carried.

The Chairman then presented HB 2423 and said if there were no objections that they would not take any action on this bill at this time. No objections were raised.

Attention was then turned to HB 2059 and HB 2061. HB 2059 as amended would continue the Kansas Water Authority until July 1, 1989. Senator Francisco made the motion to recommend this bill favorable for action. This was seconded by Senator Strick. Motion carried. HB 2061 as amended would continue the Kansas Water Office and the office of Director until July 1, 1989. Senator Strick made a motion to recommend this bill favorable for passage. This was seconded by Senator Hoferer. Motion carried.

The Committee then discussed HB 2435 concerning purchasing and sales procedures for state agencies. Many questions were raised and considerable discussion ensued. Senator Winter suggested that the Committee pass on taking action on this bill until more is understood. The Chairman agreed that that was a good idea and said he would discuss this bill further with the Department of Administration.

HB 2467 concerns the state surplus property program which was transferred from the Department of Administration to the Department of Corrections by the 1986 Legislature. Senator Winter made a motion that the language in lines 0252-0254, on page 7 be put back in the bill. Senator Frey seconded this and the motion carried. Senator Frey then made a motion that Section C on pages 1 and 2 be stricken. This was seconded by Senator Winter and motion carried. A motion was made by Senator Winter to strike lines 0264-0271 on pages 7 and 8 and reinsert lines 0263-0264 on page 7 and pass as amended. This was seconded by Senator Hoferer and motion carried.

Attention was then turned to HB 2223 concerning polygraphists. The question was raised as to whether Psychological Stress Evaluators and Polygraphists should be included in the same bill. Discussion was also held on the amendment offered by Thomas Kelly from the KBI. (Exhibit A) Brief testimony was presented by John Round stating the need for licensing and regulating of polygraphists. (Exhibit B) A motion was made by Senator Hoferer to strike the clause requiring confirmation by the Senate (line 0046 - page 2). This was seconded by Senator Winter. Motion carried.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Governmental Organization,  
room 531N, Statehouse, at 1:25 ~~xxx~~ p.m. on April 1, 1987

Senator Winter made a motion to recommend HB 2223 favorable for passage as amended. A seconded was made by Senator Hoferer and motion carried.

It was recommended by the Chairman that a second bill be introduced for the Psychological Stress Evaluators and the Committee agreed.

The meeting was then adjourned by the Chairman at 2:33 p.m.

GUEST LIST

COMMITTEE: Senate Governmental Organization

DATE: April 1, 1987

NAME	ADDRESS	COMPANY/ORGANIZATION
BRUCE HOWELL	110 S. CHERY, SUITE B.	GREATER KC POLYGRAPH SOCIETY
PAUL SCHWARTZ	Topeka	KS. DEPT of CONNECTIONS
Tony Brees	2035 WESTERN AVE., TOPEKA	CAPITAL INVEST. SERVICES
LARRY G. JOHNSON	6901 W 63 <sup>RD</sup> #207 O P KS	CCIS inc.
A Susan Seltman	Topeka	State Treasury
Steve Hirsch	Topeka	State Treasury
Leland E. Polp	Topeka	OWR-KSBA
Steve Star	Topeka	KPA
Roger Palmer	Topeka	ASIS
JOHN ROUND	OVERLAND PARK	OVERLAND PARK POLICE
CR DUFFY	Topeka	KWO
JOE HARKINS	TOPEKA	KWO
GARY L. OWENSBY	PO. Box 4483 TOPEKA, KS	THE BENCHMARK COMPANIES
Jack L Grant	4123 SW Twilight Dr Topeka	J.L. GRANT & ASSOC
Joel E. Edison	4123 SW Twilight Dr Topeka	"



THOMAS E. KELLY  
DIRECTOR

# KANSAS BUREAU OF INVESTIGATION

DIVISION OF THE OFFICE OF ATTORNEY GENERAL  
STATE OF KANSAS  
1620 TYLER  
TOPEKA, KANSAS 66612  
(913) 232-6000



ROBERT T. STEPHAN  
ATTORNEY GENERAL

TESTIMONY BY THOMAS E. KELLY

DIRECTOR, KANSAS BUREAU OF INVESTIGATION

ON HOUSE BILL 2223

MARCH 30, 1987

In the past complaints have been made that some law enforcement officers who are polygraph operators have been engaged in off duty polygraph examinations for hire outside the scope of their official duties. It should be noted the licensing requirements of the Private Investigative or Security Operations KSA 75-7602 prohibits law enforcement officers to be licensed as a private detective or private detective agency. The act defines a private detective as any person who for any consideration whatsoever engages in detective business. Some of the complaints have come from properly licensed private investigators or the agencies claiming the officers are working outside the scope of their official duties and are not licensed as private detectives. It is believed this situation may be corrected by an amendment to HB 2223 by adding the following:

Sect. 7 (b)(15) No law enforcement officer or any person who holds a special commission from any law enforcement agency of the federal government or of the state or any political subdivision thereof, who is licensed by this act, may conduct a polygraph examination for hire outside the scope of his official duties.

COMMENTS

BY

CAPTAIN JOHN ROUND

OVERLAND PARK POLICE DEPARTMENT

PROVIDED

TO

THE SENATE GOVERNMENTAL ORGANIZATION

COMMITTEE

WEDNESDAY, APRIL 1, 1987

My name is John Round and I am employed as a Captain with The Overland Park Police Department. Currently I am assigned as Commander of The Investigation Division. Part of my responsibilities include supervising the Polygraph Examiners for The Overland Park Police Department and reviewing their reports.

The Overland Park Police Department has relied upon Polygraph Examinations since 1968. Since 1976, our department has had available Police Officers trained as Polygraph Examiners. We use Polygraph Examinations for two purposes. First, they are used as a part of the screening process for prospective employees. Second, they are used as an investigative tool in criminal investigations. Our experience with the polygraph examinations relating to both of these applications has been quite good. Generally it has been our experience that the accuracy and reliability of the polygraph is directly related to the training and ability of the examiner.

Currently, we have three Police Officers trained as Polygraph Examiners. They perform their polygraph examination duties in conjunction with other responsibilities. They receive six weeks of intensive training regarding Polygraph Examinations prior to being permitted to conduct that testing. Our department conducts approximately 200 Polygraph Examinations each year.

My purpose in appearing before this committee today is to express support for this Bill which provides for licensing and regulation of Polygraph Examiners in the State of Kansas. I sincerely appreciate the opportunity to appear before this committee and I would be happy to respond to any questions that you might have.