

MINUTES OF THE JOINT COMMITTEE ON KANSAS SECURITY

The meeting was called to order by Chairman Representative Mario Goico at 8:30 on March 4, 2005 in Room 527-S of the Capitol.

**Members Present**

Representative Mario Goico, Chairman  
Representative Judith Loganbill  
Representative Carl Krehbiel  
Senator Jay Emler

**Members Absent:**

Representative Joann Flower  
Representative Judy Showalter  
Senator Carolyn McGinn  
Senator Nick Jordan  
Senator Chris Steineger  
Senator Jim Barone

**Committee staff present:**

Robert Waller, Kansas Legislative Research  
Reagan Cussimano, Kansas Legislative Research  
Bruce Kinzie, Revisor of Statutes Office  
Dana Wurdeman, Committee Secretary

**Conferees appearing before the committee:**

None

**Others attending:**

See attached list.

Chairman Goico called the meeting to order at 8:30 a.m.

Robert Waller, Senior Fiscal Analyst, gave an overview of the Joint Committee on Kansas Security Interim Report (**Attachment 1**). Mr. Waller reviewed Committee recommendations as follows:

- Encourages counties to comply with KSA 48-929 by providing for and updating emergency management plans through the designation of an emergency manager in each county or through the creation of an interjurisdictional arrangement;
- Recommends the development of a formalized process to enable Regents institutions the initial opportunity to provide the resources in creating training and exercise curriculums before contracts are finalized with institutions or entities outside the state;
- Encourages communication among Regents institutions in regard to all-hazards activities;
- Encouraged the Governor's Office to incorporate an include Regents Institute in homeland security activities; essentially on the Governors Council on Homeland
- Recommends the continued review and subsequent reporting on Federal Homeland Security moneys distributed to state agencies;
- Recommends a review of Senate and House rules relating to the announcement of "secure" meetings in relation to private industry;
- Recommends a review of the statutory establishment of the roles and responsibilities of state agencies relating to the State's all-hazards strategy;
- Encourages the Kansas Department of Transportation to continue its efforts in establishing a state-wide interoperable communication system in the most efficient and rapid manner possible;
- Recommends legislation making the following a crime: "terrorism"; the illegal use of a weapon of mass destruction (WMD); and furtherance of terrorism and illegal use of weapons of mass destruction; and
- Recommends legislation to make certain information relating to security measures provided under the exception to the Kansas Open Meetings Act, the Kansas Open Records Act, and the

CONTINUATION SHEET

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provision relating to security measures for utilities not subject to subpoena or demand during court or administrative proceedings.

Mr. Waller stated that the last two recommendations created the provisions of **SB 24** and **SB 25**. He remarked that **SB 25** creates the crime of terrorism, the illegal use of weapons of mass destruction and furtherance of terrorism and illegal use of weapons of mass destruction. a crime.

**SB 24** allows for the restriction of certain records provided by private industry from being subject to subpoena or discovery. Mr. Waller explained that the Intern Committee noted its concerns relating to the Adjutant General's office having access to emergency plans created and controlled by private industry. The Committee desired to insure that when responding to an emergency that the Adjutant General's office or any other public safety agency possessed the necessary information to respond accordingly. Additionally, Mr. Waller noted that the bill provides an "incentive" to private industry to disclose that information to the Adjutant General since there are assurances that the information will never be publically disclosed.

Discussion followed by the committee.

Chairman Goico adjourned the meeting at 9:00 a.m., with the next scheduled meeting March 11, 2005.

Prepared by Dana Wurdeman  
Edited by Robert Waller

Approved by Committee on:

April 1, 2005

(date)

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