

MINUTES

JOINT COMMITTEE ON KANSAS SECURITY

November 7, 2014
Room 152-S—Statehouse

Members Present

Senator Greg Smith, Chairperson
Representative Mario Goico, Vice-chairperson
Senator Anthony Hensley
Senator Mitch Holmes
Senator Mike Petersen
Senator Pat Pettey
Representative Carolyn Bridges
Representative Stan Frownfelter
Representative Peggy Mast
Representative Connie O'Brien

Staff Present

Jill Shelley, Kansas Legislative Research Department
Dezeree Hodish, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research Department
Chuck Reimer, Office of Revisor of Statutes
Scott Wells, Office of Revisor of Statutes
Connie Burns, Committee Assistant

Conferees

Major General Lee Tafanelli, Adjutant General
Colonel Chris Stratmann, Chief Information Technology Officer, Kansas Adjutant General's Department
Angee Morgan, Deputy Director, Division of Emergency Management, Kansas Adjutant General's Department
Captain Eric Pippin, Kansas Highway Patrol
Jerry Tenbrink, Kansas Center for Safe and Prepared Schools, Kansas Adjutant General's Department
Brad Neuenswander, Interim Commissioner, Kansas Department of Education
Gregg Burden, Executive Director, Kansas Commission on Veterans' Affairs Office
Wayne Bollig, Deputy Director, Kansas Commission on Veterans' Affairs Office
Aaron Dunkel, Deputy Secretary of Health and Environment
Charlie Hunt, State Epidemiologist, Kansas Department of Health and Environment
Colonel Ernest Garcia, Superintendent, Kansas Highway Patrol
Captain Robert Keener, Kansas Highway Patrol

Captain Andy Dean, Capitol Police, Kansas Highway Patrol
Captain Jimmie Atkinson, Troop C (formerly with Capitol Police), Kansas Highway Patrol

Others attending

See attached list.

Morning Session

Chairperson Greg Smith opened the meeting at 9:30 a.m.

Emergency Preparedness in Kansas

Major General Lee Tafanelli, Kansas Adjutant General, provided an overview of the topics and speakers regarding several facets of emergency management and homeland security in Kansas ([Attachment 1](#)). A key component of Kansas security begins in Kansas schools; the Kansas Center for Safe and Prepared Schools assists districts, schools and their staffs to become more prepared for all hazards. Over the past years, the Center has emphasized training, raised awareness regarding the importance of schools developing collaborative partnerships within their localities, and encouraged leadership with the districts and schools to integrate all school staff and community stakeholders in their efforts. The efforts to enhance school safety on emergency preparedness have involved leadership from the Attorney General's Office, the Office of the State Fire Marshal, the Kansas Adjutant General's Department, the Kansas Highway Patrol, the Kansas Department of Health and Environment, the Kansas State Department of Education, the Kansas Association of School Boards, the Governor's Office, the Legislature, and many other agencies and groups. A copy of the *Kansas Response Plan*, by the Kansas Division of Emergency Management, as of February 2014, was provided to each member of the Committee. (The 511-page Response Plan can be downloaded from the Adjutant General's Department website, at http://www.kansastag.gov/kdem_default.asp or http://www.kansastag.gov/kdem_sitemap.asp.)

Major General Tafanelli recommended designating the Kansas State Department of Education as the lead state agency responsible for coordinating Kansas school safety and preparedness activities and incorporating the Kansas Center for Safe and Prepared Schools into that agency, receiving assistance from the Kansas Highway Patrol, Kansas Adjutant General's Department, and other state entities as appropriate. He said this will allow for tighter integration of school safety within Kansas and better coordination efforts with other parties.

Colonel Chris Stratmann, Chief Information Technology Officer for the Adjutant General's Department, provided an update on the state of emergency and interoperable communications in Kansas and the public safety broadband network FirstNet ([Attachment 2](#)). Colonel Stratmann provided a brief history on the funding and grants that helped to finance the development and build out of a statewide interoperable radio communication system; its governing body, the Statewide Interoperable Executive Committee (SIEC), which was created by Executive Order 07-27; and a Statewide Interoperable Coordinator (SWIC). The SWIC and two interoperability trainers are referred to as the Office of Emergency Communications. The statewide interoperable radio communication system provides first responders across the state a fully interoperable platform that allows for communications among agencies and jurisdictions that was previously unavailable. Over the past year, Kansas Department of Transportation (KDOT) and the SIEC have begun discussing options for sustaining the system for the long term, and

KDOT has announced plans to issue a Request for Proposal seeking consulting services to professionally evaluate the system and offer options regarding future funding and structure. The Adjutant General's Department believes Kansas Legislative Research Department (KLRD) should be engaged in exploring the future governance structure of public safety communications policy and assets in similar states and report that information back to this committee and the SIEC in order to design a plan for effective public safety communications governance to meet the needs of Kansas.

Colonel Stratmann also reviewed the First Responder Network Authority (FirstNet), which Congress created in February 2012, as an independent authority within the National Telecommunications and Information Administration to provide emergency responders with a nationwide, high-speed, wireless broadband network dedicated to public safety use. The creation of FirstNet addresses a recommendation of the 9/11 Commission regarding interoperable communications by calling for a ubiquitous, prioritized data-sharing capability. Kansas has received a grant award totaling \$2.3 million over a three-year period to prepare for FirstNet, and is in the second year of this grant. The Adjutant General's Department indicated that by recognizing the valuable role of the statewide interoperable radio and data communication system as an integral part of the statewide security architecture, and by recommending the completion of a study to determine the best governance structure for public safety communications, the Committee can directly influence the successful future of public safety communications to meet the needs of Kansas.

Colonel Stratmann and Major General Tafanelli answered several questions related to FirstNet timing and potential funding.

Angee Morgan, Deputy Director, Kansas Division of Emergency Management, provided an overview on Emergency Management ([Attachment 3](#)). The Division of Emergency Management has these goals:

- Save lives and prevent injuries;
- Stabilize an incident as soon as possible; and
- Protect property and the environment.

Ms. Morgan provided information on the Emergency Management Accreditation Program, the top ten Kansas hazards, the Governor's responsibilities during a state emergency, challenges associated with a state emergency, training at the Eisenhower Center for Studies and at Crisis City, disaster funding history, and state and federal funding sources for emergency response. She stated among the challenges are turnover at the local level and a lack of understanding by local officials of their responsibilities during a disaster. She said regional planning has saved localities \$3 million to \$5 million. Kansas' incident management teams are known as some of the nation's best. She pointed out few emergencies in Kansas meet thresholds for federal assistance. Major General Tafanelli said the federal government may raise those thresholds, making more disaster responses state responsibilities. In response to questions, Major General Tafanelli stated the Crisis City complex near Salina is a success story in terms of bringing in first responders for training, with the additional benefit that they meet each other and work together. The Department continues to work on formal conveyance of the property from the Air Force to the state and hopes to complete that process within the next 12 to 18 months. The training venues, which include an engineered "collapsed building" and several rail cars, were described.

Jerry Tenbrink, Associate Director, Kansas Center for Safe and Prepared Schools, Kansas Adjutant General's Department, provided information on the wide range of assistance available to schools and districts who wanted help with efforts to be safer and more prepared, and discussed the types of activities the Center participated in last year ([Attachment 4](#)).

Brad Neuenswander, Interim Commissioner, Kansas State Board of Education, addressed questions on which school districts have emergency preparedness plans. Mr. Neuenswander stated it is not a requirement that school personnel have to be trained, but the State Board can provide assistance in how to prepare and utilize the best plan in coordination with other agencies. There are 112 districts that have participated in KCSPS training.

The Adjutant General and staff addressed additional questions and concerns from the Committee.

Homeland Security Funding

Major General Tafanelli provided the Committee with an overview on the topic of homeland security and specifically, the Kansas Intelligence Fusion Center (KIFC) ([Attachment 5](#)). The Adjutant General's Department currently is analyzing systems-level threats to Kansas' critical infrastructure, working with private industry to improve cyber security, and partnering with key subject matter experts on identifying bio-threats to animal, plant, and human health. The Department continues to work with these agencies and groups to develop fiscally sustainable methods to identify new and emerging threats, and to handle them with a state-based approach, not dependent on federal strategies. The KIFC is seen as an unparalleled "model" center among federal and state programs for both effectiveness and protection of civil liberties.

Despite the KIFC's remarkable successes, the Center is far from reaching its full operational potential due to highly limited staffing. He stated an additional lead analyst position and individual analyst positions dedicated to each focus team will be required to move the KIFC to more effectively address the widening threats impacting Kansas.

Captain Eric Pippin, Kansas Highway Patrol, presented the Committee with an overview on homeland security funding ([Attachment 6](#)). Since 1999, the Kansas Highway Patrol has served as the state's administrative agency for the Homeland Security Grant Program (HSGP). The HSGP is funded through the U.S. Department of Homeland Security (DHS). Through this program, the DHS provides funding opportunities to states and territories to prevent, respond to, and recover from all-hazard events by enhancing and sustaining capabilities. Information on grant program funding by region, grant capabilities and enhancements, and FY 2014 grant projects was provided. He described inter-agency coordination in this regard.

Kansas Commission on Veterans' Affairs Office

Gregg Burden, Executive Director, Kansas Commission on Veterans' Affairs Office (KCVAO), provided an agency update to the Committee ([Attachment 7](#)). The goal of the KCVAO is to ensure Kansas veterans and their families receive all the services and benefits they have earned in the most efficient and cost-effective manner possible. The 2014 Legislature with the passage of HB 2681 abolished the Kansas Commission on Veterans Affairs (KCVA) and created the KCVAO and the Veterans Claims Assistance Program. Mr. Burden provided highlights of activities at the two veterans' homes, the Veteran Services Program, and the Kansas Veterans'

Cemetery Program. He discussed improvements at physical facilities of the KCVAO, significant upgrades in electronic patient record capacities, and the challenges of keeping positions filled.

Wayne Bolig, Deputy Director, KCVAO, addressed questions from the Committee on the G.I. Bill and in-state tuition for veterans and their families, and about the judicial diversion program for veterans. He said the state will need to make changes to comply with new federal requirements regarding in-state tuition for veterans.

The meeting was recessed until 1:30 p.m.

Afternoon Session

The meeting reconvened at 1:30 p.m.

Ebola Preparedness

Aaron Dunkel, Deputy Secretary of Health and Environment, reviewed the list of partner organizations, activities, time line, isolation and quarantine for infectious diseases statutes, administrative rules and regulations, and the state's Ebola virus preparedness and response plan ([Attachment 8](#)). He reported the agency has created education materials and daily answers many phone calls related to Ebola.

Charlie Hunt, State Epidemiologist, provided background and situation updates to the Committee on Ebola preparedness ([Attachment 9](#)). He reviewed what is known about the disease, how a person catches the virus, how the virus is spread, treatment, and quarantine challenges. The preparedness and response plan for Kansas includes risk assessment, monitoring, special considerations for health care workers, evaluation and management, and laboratory testing. He answered questions on topics including treatment plans, transmission *via* animals, and the proper disposal of personal protective equipment.

At the request of the Chairperson, a handout on state law regarding quarantine was made available to the Committee ([Attachment 10](#)).

Capitol Security

Colonel Ernest Garcia, Kansas Highway Patrol (KHP), provided opening remarks on the mission of the KHP and specifically on Capitol security.

Captain Robert Keener, KHP, updated the Committee on the Kansas Active Shooter Mitigation Program ([Attachment 11](#)). Captain Keener stated the mindset has changed on how to deal with school shooters; the old tactic included containment and calling SWAT teams, now the tactic is rapid deployment, training, and educational planning that fits a school's needs. He said KHP has worked with five or six schools at this point and is working toward a "train the trainer" goal. He further stated the training was appropriate for potential workplace violence situations.

Captains Andy Dean, Capitol Police, and Jimmie Atkinson, formerly of the Capitol Police, were present to discuss security in the Capitol Complex.

Representative Goico moved and Representative Frownfelter seconded, the motion that the open meeting of the Joint Committee on Kansas Security in Room 152-South of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 152-South of the Statehouse pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representative and subsection (b)(13) of KSA 2014 Supp. 75-4319, for the purpose of discussing matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas, or matters relating to security measures, and involving security measures relating to the Capitol Complex or the Kansas Active Shooter Mitigation Program, which matters, if discussed at an open meeting would jeopardize such security measures, that the Joint Committee on Kansas Security resume the open meeting in this room, Room 152-South of the Statehouse, at 3:30 p.m. and be maintained as a part of the permanent records of the Committee. The motion carried. This was adopted at 2:55 p.m. on November 7, 2014. Designated essential personnel named were: Major John Eichkorn, Colonel Ernest Garcia, Captain Robert Keener, Captain Andy Dean, Captain Jimmie Atkinson, Lt. Eric Hatcher, Lt. Scott Martin, Sgt. Terry Golightley.

At 3:30 p.m., the Committee returned to open meeting status, but since all reports had not been completed, Representative Goico moved, and Representative Frownfelter seconded, the motion that the open meeting of the Joint Committee on Kansas Security in Room 152-South of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 152-South of the Statehouse pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representative and subsection (b)(13) of KSA 2014 Supp. 75-4319, for the purpose of discussing matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas, or matters relating to security measures, and involving security measures relating to the Capitol Complex or the Kansas Active Shooter Mitigation Program, which matters, if discussed at an open meeting would jeopardize such security measures, that the Joint Committee on Kansas Security resume the open meeting in Room 152-South of the Statehouse, at 3:45 p.m. and be maintained as a part of the permanent records of the Committee. The motion carried. This was adopted at 3:35 p.m. on November 7, 2014. Designated essential personnel named were Major John Eichkorn, Colonel Ernest Garcia, Captain Robert Keener, Captain Andy Dean, Captain Jimmie Atkinson, Lt. Eric Hatcher, Lt. Scott Martin, Sgt. Terry Golightley.

The Committee returned to open session at 3:45 p.m.

Committee Comments and Recommendations

Representative Goico moved to approve all the recommendations made by the Adjutant General's Department. Representative Mast seconded the motion. The motion carried.

By consensus, the Committee recommended that all legislators, and the different caucuses, and especially committee chairpersons undergo training in order to handle the different emergency situations they might face in the Capitol.

The Committee recommended the state adhere to federal guidelines regarding in-state tuition for veterans. It was also recommended the Legislature explore ways to access revenues from Kansas Lottery sales for veterans' programs.

Representative Frownfelter moved to adjourn. Representative Mast seconded the motion. The motion carried.

The meeting was adjourned at 3:52 p.m.

Prepared by Connie Burns
Edited by Dezeree Hodish and Jill Shelley

Approved by the Committee on:

December 19, 2014
(Date)