

MINUTES

JOINT COMMITTEE ON KANSAS SECURITY

November 1-2, 2007
Room 519-S—Statehouse

Members Present

Representative Mario Goico, Chairperson
Senator Jay Emler, Vice-Chairperson
Representative Judith Loganbill, Ranking Minority Member
Senator Jim Barone
Senator Nick Jordan
Senator Chris Steineger
Representative Pat George
Representative Julie Menghini
Representative Lee Tafanelli

Members Absent

Senator Nick Jordan (excused) November 1
Senator Carolyn McGinn (excused)

Staff

Bruce Kinzie, Office of the Revisor of Statutes
Scott Wells, Office of the Revisor of Statutes
Amy VanHouse, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Ann McMorris, Committee Secretary

Conferees

Ed Geer, Kansas Department of Transportation
Jason Moses, Kansas Division of Emergency Management
Capt. Mark Bruce, Kansas Highway Patrol
Dwight Purtle, Johnson County Emergency Communications
Mark Gleeson, Judicial Branch
Kelly O'Brien, Judicial Branch
Kathy Porter, Judicial Branch
Major Matt Oleen, Kansas Army National Guard
Command Chief Warrant Officer Mark Jensen

Carmen Alldritt, Director, Division of Vehicles
Lt. John Eichkorn, Kansas Highway Patrol
Tom Thornton, Kansas Bioscience Authority
Dr. Ron Trewyn, Kansas State University

**Thursday, November 1
Morning Session**

Vice-Chairperson Emler called the meeting to order at 10:00 a.m. (Chairperson Goico had been delayed and arrived shortly thereafter.)

It was moved by Senator Barone, and seconded by Representative Tafanelli, the minutes of the September 25-26, 2007, meeting of the Joint Committee on Kansas Security be approved. Motion carried.

Edwin Geer, Communication System Administrator for the Kansas Department of Transportation, provided an update on the Statewide Interoperable Communication System. This effort was developed to facilitate seamless communications in critical events for public safety and other first responders operating on disparate radio systems. The P25 compliant wide-area trunk radio system in combination with the option to lease 800 MHz radios and tower space is designed to provide users greater communications flexibility and interoperability. He explained the radio system effort in which Phase I and Phase II-A have been completed. Phase II-B will be completed this fiscal year. Phase III and beyond are not scheduled nor funded at this time. He provided a color-coded map of Kansas showing which counties are included in the various phases. Mr. Geer explained the program to lease 800 MHz radio equipment and tower space and named the agencies that currently participate. In addition, KDOT has two Emergency Response Towers/Trailers (ERTs) ready to deploy to an emergency incident if needed (Attachment 1).

Committee members questioned Mr. Geer about the funding cost to participants to add an antenna on a tower, frequency analysis, equipment shelters, and generator and electrical costs. It was noted that commercial units are not showing much interest. The Committee requested a list of companies who have shown an interest but did not lease. Mr. Geer described the equipment shelter as a poured 10x16 concrete unit that is air-conditioned, heated and insulated, with an expected lifespan of 30 years.

Captain Mark Bruce, Kansas Highway Patrol, presented an update on the Public Safety Interoperable Communications (PSIC) Grant. He provided information on PSIC background; Kansas' allocation from federal grants; the application process and progress for funds for the project period of 10/1/07 thru 9/30/10; Kansas pass-through funding logic; funding by region for equipment and training; eligible uses of funds; and Kansas program management (Attachment 2).

Jason Moses, Interoperable Communications Coordinator, Kansas Adjutant General's Department, discussed statewide interoperability planning. He stressed this is not a state government plan, but a statewide plan that is multi-jurisdictional and multi-disciplinary. He had been one of seven people from Kansas who had attended a statewide communications interoperability planning workshop in California in March 2007. He explained the goals of the current plan and the scope. PSIC grant information and requirements were reviewed. He provided an update on the planning process, governance to establish a Statewide Interoperability Executive Committee (SIEC), and the duties and membership of the SIEC (Attachment 3). Committee discussion included the idea that KDOT's system was intended for use by state

government, whereas this plan based in the Adjutant General's Department is to link local systems and responders and will use infrastructure KDOT has put in place.

Dwight Purtle, Technical Systems Manager, Johnson County Emergency Communications, testified about radio interoperability in the Kansas City metropolitan area. He explained the region's three-phase plan to address its communications interoperability needs. Phase 1 – RAMBIS – Regional Area Multi-Bank Interoperability System, which provides three interconnected channels across VHF, UHF and 800 MHz systems, expected to be operational in late 2007 or early 2008; Phase 2 - regional shared mobile data system, waiting for data network action from the Federal Communications Commission; and Phase 3 – a regional, standards-based, shared voice radio system. Johnson County chose to build its own system rather than using the state system for coverage and capacity. He noted federal money has not come close to meeting the region's interoperability needs and suggested possible revenue sources that would assist in the effort to improve public safety communications, the safety of responders, and the citizens. He noted current funding does not provide ongoing funds for replacement systems (Attachment 4).

Terry David, Emergency Medical Services Director and Emergency Management/Homeland Security Coordinator in Rice County, submitted written testimony (Attachment 5).

Chairperson Goico closed the hearing on Interoperability/800 MHz System.

Chairperson Goico recessed the meeting for lunch, to reconvene at 1:30 p.m.

Afternoon Session

Chairperson Goico announced that the Committee had been provided the following information (Attachment 6):

- NEMA Profile of State Emergency Management Directors and Their Agencies, Results of FY 2007 Survey;
- Table A-State Emergency Management: Agency Structure, Budget and Staffing; and
- Table B-Homeland Security Structures.

Committee members asked staff to verify the statistics in Tables A and B as Kansas is ranked 47 and they had some questions about how the numbers were obtained.

Chairperson Goico opened for presentations on Court System Security.

Mark Gleeson, Office of Judicial Administration (OJA), testified about the Kansas Judicial Branch Security and Emergency Preparedness Project. The Kansas Department of Homeland Security conducted formal vulnerability assessments for all 127 facilities in Kansas that house Judicial Branch personnel. This completed the first phase of the project. Security and emergency preparedness standards have been developed and cover five areas: (1) leadership; (2) security; (3) emergency preparedness; (4) information technology, records and evidence; and (5) pandemic disease. A secure, online vulnerability assessment has been created, and access to it is restricted through a variety of protective measures.

To date, changes in various facilities to make them more secure have been simple, cheap, and effective. Some legal questions need to be resolved regarding the authority to toll time standards and transfer specific operations from one county to another and from one district to another in the event a courthouse is closed. Improving security and emergency readiness is a never-ending effort (Attachment 7).

Kelly O'Brien, OJA, briefed the Committee on Judicial Center computer security and the future processes OJA will be introducing. In regard to the District Courts, FullCourt is the OJA-supported case management system installed by all but two district courts. Mr. O'Brien explained the system used to prevent identity theft and misuse of information formerly contained in court documents. Supreme Court Rule 123, adopted July 1, 2005, prohibits including personal identifiers from all documents filed with the court (Attachment 8).

Kathy Porter, OJA, expanded on the use of the cover sheet on documents filed with the court and noted no other states use rules similar to Rule 123. She said Kansas is the only state to receive a grant to fund a courthouse security review project.

Committee members asked what changes had been made to make facilities more secure. Mr. Gleeson answered that among the efforts were locking more entrance doors, closet doors and courtroom doors; removing name plates on various offices; removing parking assignment names; and sometimes moving staff to a more secure area. He also said other offices located in the court facilities have welcomed these changes.

Chairperson Goico closed the hearing on Court System Security.

Chairperson Goico opened for the Updates on the Fusion Center and Crisis City.

Major Matt Oleen, Kansas Army National Guard, in his PowerPoint presentation, presented the background on the Fusion Center project, the efforts of all relevant disciplines including law enforcement, medical, agriculture, private industry, and transportation. He explained the functions of the Sensitive Compartmentalized Information Center (SCIF) and the Fusion Center. An oversight board has been assigned consisting of several members. The center will conduct certification and training covering analysis and strategic planning.

The questions from various members of the Committee concerned the number of personnel involved in portions of the Fusion Center, when the center will be in operation, how the state's Threat Integration Center will fold into the Fusion Center, roles of Title 10 (active military) vs. Title 32 (National Guard), and proposed future funding.

Command Chief Warrant Officer Mark Jensen provided testimony and a brochure on Crisis City, which is a multi-use Homeland Security Training facility for law enforcement, search and rescue, fire, medical and military personnel that is located at the Great Plains Joint Regional Training Center near Salina. His PowerPoint presentation gave the Committee an overview of the various structures to be used in training, such as rail cars for response training and a rubble pile for search and rescue training, and the proposed incident command center. There was some discussion on using unmanned aerial vehicles (UAVs) for rescue efforts.

Chairperson Goico closed the hearing on the Updates on the Fusion Center and Crisis City and recessed the meeting until 9:00 a.m. November 2, 2007.

**Friday, November 2
Morning Session**

Chairperson Goico opened the hearing on Front License Plates.

Carmen Alldritt, Director, Division of Vehicles, provided information on the history and current issues surrounding the issuance of two license plates per vehicle. She noted the cost to produce one standard plate is \$2.17, and the cost to produce two plates would be \$4.34; these figures reflect only material and labor and do not include programming costs. Other issues involve no bracket for the front license plate on some vehicles and the cost to the vehicle owners; use of other types of plates on the front, such as those showing support for various universities; increased postage to County Treasurers; and storage of the increased number of plates. Vehicle owners now pay 50 cents for the one plate (Attachment 9).

Committee members questioned how many states use both front and back plates. There was some discussion on the cost of replacing plates every five to eight years and the current lack of prohibition on the use of a license plate from another state on the front of a vehicle; legislation to clear that point would be helpful.

Lieutenant John Eichkorn, Kansas Highway Patrol, commented on the benefits to law enforcement of two registration plates for each vehicle registered in Kansas. He said the Patrol also understands the concerns associated with requiring two plates (Attachment 10).

Ed Klumpp, on behalf of the Kansas Association of Chiefs of Police, provided written testimony only to the Committee (Attachment 11).

Chairperson Goico closed the hearing on Front License Plates.

The Committee discussed possible recommendations for its report to the Legislative Coordinating Council on the following topics:

- Status of the special committee appointed to review Capitol Complex;
- Recommendations on the State Defense Force; and
- RealID (to be known by another name).

Chairperson Goico appointed Committee members Representative Tafanelli and Representative Loganbill to coordinate information on the State Defense Force and report at the next meeting of the Joint Committee on Kansas Security.

It was noted the Committee had requested information from the Adjutant General on state defense forces at its September meeting and follow-up could be scheduled for the December meeting.

There was some discussion on legislation to not allow use of license plates from other states on the front of vehicles registered in Kansas. The Revisor's staff was directed to research this matter.

Chairperson Goico recessed the Committee for lunch, to reconvene at 1:00 p.m.

Afternoon Session

Jill Shelley, Kansas Legislative Research Department, distributed a National Conference on State Legislatures Transportation Review on Motor Vehicle Registration and License Plates updated July 2007 which provided answers to questions of the Committee about which states currently require two license plates per vehicle ([Attachment 12](#)).

Chairperson Goico opened the hearing on the Update on the National Bio and Agro Defense Facility (NBAF).

Dr. Ron Trewyn, Vice President for Research, Kansas State University, provided an update on the NBAF selection process and recent activities to enhance the visibility and competitiveness of Kansas with regard to this procurement. He summarized Department of Homeland Security (DHS) activities in this project. He specifically called attention to Section 24 of Homeland Security Presidential Directive 9, which states that the Secretaries of Agriculture and Homeland Security will jointly "*...develop a plan to provide safe, secure, and state-of-the art agriculture biocontainment laboratories that research and develop diagnostic capabilities for foreign animal and zoonotic diseases.*"

Dr. Trewyn detailed the next steps in the selection process. The NBAF Environmental Impact Statement (EIS) scope will include many issues, which he listed in his written testimony on page 3. He noted that the final decision by DHS will be based on factors as listed on pages 3 and 4. He expounded on the scoping meetings at other finalist locations and provided his analysis of the outcome at each meeting. He was most positive that K-State Campus remains a viable contender. K-State has established a NBAF Speakers Bureau to provide experts on the subject.

Dr. Trewyn expressed his appreciation for all the efforts of the Kansas Legislature to support NBAF in Kansas ([Attachment 13](#)).

Committee questions involved Biosafety Level (BSL) 3 facilities and qualifying as BSL-4.

Tom Thornton, President and CEO, Kansas Bioscience Authority (KBA), advocated strongly for the NBAF project and discussed the multi-pronged plan that has been developed to attract the NBAF to Kansas. KBA has worked with a broad coalition of public and private organizations to develop this plan. He detailed the objectives of the plan:

- High quality proposals at every stage of the site selection process;
- Initiation of a communications plan;
- Formation of a task force; and
- Cost-share proposals.

Mr. Thornton reviewed the efforts of the Kansas Legislature, which have included a joint resolution, an interagency regulatory working group, and land transfer. Current activities to support the effort to attract the NBAF include the Collaborative Biosecurity Research Initiative; contracting with a lobbyist in Washington, DC, to provide advocacy for Kansas; and statewide briefings to continue the high levels of public and private support for NBAF ([Attachment 14](#)).

The next meeting of the Joint Committee on Kansas Security will be held December 13 and 14, 2007.

The meeting was adjourned.

Prepared by Ann McMorris
Edited by Jill Shelley

Approved by Committee on:

December 14, 2007
(Date)