

Approved: 3-19-93
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by Chairperson Marvin Smith at 9:00 a.m. on March 18, 1993 in Room 521-S of the Capitol.

All members were present except:

Committee staff present: Carolyn Rampey, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Nancy Kippes, Committee Secretary

Conferees appearing before the committee:

Orion Jordan, Director, Department of Administration
Captain Fred Johnson, Capitol Area Security Patrol
Emil Lutz, Director, Division of Administrative Services
Senator Sheila Frahm

Others attending: See attached list

Review of progress on recommendations concerning the Capitol Area Security Patrol.

Orion Jordan, Department of Administration, gave a report as to what their department has done to accomplish some of the recommendations after the Capitol Area Security Patrol review (Attachment 1). An electronic eye has been set up on the east door so it is now possible to leave the building if there is not a guard present to let them out.

Captain Fred Johnson, Capitol Area Security Patrol, reported on the progress on the recommendations (Attachment 2). Investigator Baldwin stated they had met with employees at 512 West 6th about the problem at that location and they were having patrol cars during part of the morning arrival and evening departure times.

Emil Lutz, Administrative Services, provided testimony as to their recommendations after the review of the Capitol Area Security Patrol (Attachment 3). He reiterated his recommendation for an additional guard at the Capitol, not just an additional guard for all locations in general and the need for one trained person on duty at the Capitol.

Hearing on:

SB 209 - appointments and commissions; reporting certain information to the secretary of state; registry of such information.

Senator Sheila Frahm testified in support of SB 209 which would provide for a data base being prepared to keep current information on appointees who must be confirmed (Attachment 4).

SB 60 - name changes of certain standing committees of the senate.

Carolyn Rampey, Legislative Research, explained SB 60 as carrying out what the Senate rules have already designated as far as changing some of the committees.

Action on:

SB 93 - examinations required of building contractors.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 18, 1993.

Representative Haulmark moved to pass SB 93 favorably. Representative Scott seconded. Motion carried.

SB 126 - electricians competency examinations.

Representative McKechnie made a motion to pass SB 126 out favorably and place on the consent calendar. Representative Gilbert seconded. Motion carried.

SB 113 - elections; location of voting squares on ballot.

Representative Scott moved to pass SB 113 out of committee favorably and place on the consent calendar. Representative Ballard seconded. Representative Macy recommended SB 113 not be placed on the consent calendar. Representative Scott and Representative Ballard withdrew the motion to place on the consent calendar and the motion was to pass favorably. Motion carried.

Representative Dillon made a motion to approve the minutes for March 17, 1993 as submitted. Representative Cox seconded. Motion carried.

The meeting was adjourned at 9:55 a.m. The next meeting is scheduled for March 19, 1993.

TESTIMONY: UPDATE ON POST AUDIT CAPITOL SECURITY REPORT

Governmental Organization and Elections

March 18, 1993

Department of Administration
Division of Facilities Management

Orion M. Jordan, Director

RECOMMENDATION: "Assess the cost and provide the Legislature with a proposal for funding fire detection equipment and a fire alarm system for the Capitol Building, and crash bars for the doors."

RESPONSE:

1. The Division of Facilities Management held a meeting with Legislative Services and the Fire Marshal's Office to discuss fire detection and a fire alarm system for the Capitol Building. Engineering staff in the Division developed preliminary cost estimates for the installation of: smoke detectors; alarm horns and lights; public address speakers; fire alarm break glass stations; intercom system; and emergency lighting. The preliminary cost estimate is \$284,290.

This estimate should be considered preliminary since further meetings with the Fire Marshal's Office will be required for the Fire Marshal's Office to review plans on a floor by floor basis. Further, a project of this magnitude will involve the development of options and complete review by the Division of the Budget and the Joint Committee on State Building Construction. It is projected that final cost estimates will be prepared for presentation and discussion prior to the next Legislative Session.

2. Crash bars can be installed on all doors at a cost of \$10,600. Current special maintenance funding is available to address this cost. Assuming Legislative approval, the projected installation date is August 31, 1993.

RECOMMENDATIONS: "[The Department of Administration should] review its contract with the Capitol Area Security Patrol to ensure that the contract makes adequate provisions for holidays and sick and annual leave so that the Capitol Patrol will have enough employees to provide the level of coverage specified in the contract."

RESPONSE:

The Division of Facilities Management requested that the Capitol Area Security Patrol provide updated information regarding actual annual leave, sick leave, holiday leave, and continuing education data. Based on this updated information, the Division of Facilities

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TESTIMONY: UPDATE ON POST AUDIT CAPITOL SECURITY REPORT

March 18, 1993

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Management and the Capitol Area Security Patrol concur that one additional Security Guard should be added to the security contract to provide adequate coverage. The cost of this expansion will be \$28,698 annually and will be effective in the FY 1994 Security Contract.

It should also be noted that the Division of Facilities Management will also be funding one additional Patrol Officer during FY 1994 for parking security and enforcement. This position is already being funded for the second half of FY 1993.

RECOMMENDATION: "Assess the feasibility of adding additional guard positions to its contract with the Patrol so that someone is always on duty in the Capitol rotunda to allow people to enter and leave the building when it is locked. As an alternative, the Department should consider the feasibility of purchasing electronically controlled entry and exit devices for State buildings to minimize the amount of staff needed for security in State buildings and provide the 1993 Legislature with its findings in this area."

RESPONSE:

1. In the past, exit from the first floor east doors was delayed when assigned security staff had locked these doors while making a walk-through of the Capitol. The doors have been modified with a magnetic lock and an electric eye to allow exit at anytime. The magnetic lock prevents entry into the building when the guard is away from the guard station. At the same time, the electronic eye will automatically open the door as you approach to allow your exit without waiting for a guard. In the event that the automatic door openers fail, there is a lighted button on the center mullion which when pushed will release the magnetic lock and the door can be pushed open.
2. The Capitol Area Security Patrol has recommended the installation of electronic access devices on the first floor east and west entrances to the Statehouse. A system compatible with the Honeywell Delta 1000 electronic monitoring system (which is currently used throughout the Capitol Complex) could be purchased and installed for approximately \$3,500 per door. Magnetic cards required to gain access using the Honeywell Card Readers would cost \$5.40 for each employee who would require a card. The annual maintenance fee for this system is estimated at \$500 (24 hours a day response).

The purchase of the electronic entry system would be more cost effective than hiring an additional security guard when the Statehouse is not open to the public. Current special maintenance funding is available to fund the \$7,000 project. The estimated completion date is eight weeks from the date of Legislative approval. Electronic access devices are also under consideration for other buildings in the Capitol Complex.

KANSAS HIGHWAY PATROL

Service—Courtesy—Protection

Joan Finney
Governor



Col. Bert Cantwell
Superintendent

February 8, 1993

Representative Marvin E. Smith
Chairman,
Governmental Organization and Elections
Statehouse, Room 115-S
Topeka, Kansas 66612

Re: Post Audit Survey - Problems and Solutions

Dear Sir:

I would like to take this opportunity to thank you for the opportunity to appear before your committee to respond to questions from committee members and to address specific points raised by the performance audit report prepared by the Legislative Division of Post Audit.

Many issues were raised and concerns discussed which address the safety and well-being of employees and staff, constituents and the general public within the capitol complex and the building located at 512 W. 6th street. Some primary concerns are; 1.) the inability of persons to exit the Statehouse during the absence of the security officer during a fire or other emergency, 2.) the inconvenience of having to wait for a security officer to gain entry to the Statehouse, 3.) inadequate staffing of the Capitol Area Security Patrol, and 4.) harassment of state employees while walking to or from their office at 512 W. 6th street.

As requested, this correspondence will address those specific problems and recommendations will be presented to be considered in resolving these problems:

Problem: Afterhours entry and exit at the Statehouse.

At the present time, only one door is available for afterhours entry and exit. The 1st floor, east door is the designated door for afterhours access to the Statehouse as it most nearly affords persons with handicaps access to the building.

122 SW SEVENTH STREET
TOPEKA, KANSAS 66603-3847
(913) 296-6800 FAX (913) 296-5956

Attachment 2
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Prior to making a tour of the Statehouse, this door is locked by the security officer. Locking the door is necessary to prevent unauthorized persons from entering the Statehouse while the security officer is away from the 1st floor rotunda area.

The absence of the security officer causes an inconvenience to those persons who seek afterhours access to the building. To enter, one must call the security officer (dispatcher) at the Docking Building and ask to get in. The dispatcher must then contact the security officer at the Statehouse by radio and advise of the request. This may mean a 5 to 7 minute wait. If the climate is extreme, the person desiring access must endure these conditions until the officer arrives. To get out of the Statehouse, one must follow the same procedure and await the security officer. In the event of a fire or other emergency, this would prove dangerous for those attempting to exit.

Recommendation No. 1 - Provide an additional security officer on each shift at the Statehouse. One officer can conduct building tours while the other remains in the rotunda area on the 1st floor to control afterhours access through the east door by checking for building passes and require persons to sign IN and OUT. This officer can also unlock other exit doors to provide more convenient exiting of the building.

Advantage: The presence of a security officer in the rotunda area at all times, alleviates the necessity to lock the east door permitting persons to enter or exit through the electrically operated doors.

Note: This will require one (1) additional security officer per shift, or approximately 4.8 new FTE's to provide the required staffing level on a 24-hour basis.

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Disadvantage: This recommendation has the highest associated costs due to salary and wages, benefits, etc.

Recommendation No. 2 - The Director of Facilities Management has informed us that within the next 2-weeks, an electric lock will be installed on the 1st floor east door. The lock will be used in conjunction with an electronic sensor which will unlock the door as a person approaches from inside the building, allowing that person(s) to exit the building.

Advantage: This recommendation provides for the continued staffing of only one (1) security officer for each shift at the Statehouse, yet the officer will be allowed to make the building tours.

Building tours by security officers are considered essential in detecting the presence of unauthorized persons. Persons who enter during the hours the Statehouse is open to the public, may not leave, but in fact conceal themselves in a restroom or in the basement. The security officer also looks for fires, water leaks, unsecured offices, responds to medical emergencies or, persons who become stuck in elevators. The presence of an additional security officer is necessary to avoid locking the only exit available to occupants of the building.

Disadvantage: Entry and exiting at the Statehouse is still confined exclusively to the east door. All other doors remain locked afterhours. Persons desiring to exit the building, must still contact the dispatcher by telephone and await the arrival of the security officer to let them out.

Recommendation No. 3 - Installation of crash bars on all 1st floor exit doors. This will permit the locking of all doors after normal business hours and yet be opened from the inside to let persons exit the building.

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This recommendation also provides occupants with more than one avenue of escape from the building in the event of a fire or other emergency as they can proceed immediately to the nearest exit not affected by the fire and leave the building without waiting for the security officer.

Disadvantage - This may solve the problem of exiting, but does not affect the problem of entering the Statehouse while the door is locked. The present system of gaining entry must be followed. This recommendation will not require additional security personnel, but allows only for occupants to exit the building without waiting.

Recommendation No. 4 - Install electronic card readers on all 1st floor exterior doors to allow controlled access at four (4) locations. Entry is achieved with a magnetized card which is scanned by a card reader. As the unique code on each card is recognized by the computer, the door is unlocked electronically for a short time period and access is granted the holder of that card.

Advantage - Card readers provide more controlled access to employees as the computer can be programmed to recognize lost/stolen cards and cards can be reassigned upon termination of an employee. A "pass back" button should be located at each of these doors to allow occupants to simply depress the "pass back" button, which unlocks the door, allowing them to leave.

Does not require additional security officers.

Disadvantage - The initial cost to purchase and install the equipment necessary for this procedure is quite expensive. Without the backup of a CCTV camera, persons other than the card holder, can gain access by following the card holder through the unlocked door. This is referred to as "tailgating".

"Tailgating" is not a major consideration as the presence of a security officer in the building should greatly reduce incidents of this nature.

Problem: Inadequate staffing of the Capitol Area Security Patrol. The post audit report reveals a finding that CASP is inadequately staffed to fulfill all requirements or requests for services. We have made previous requests for additional FTE's, both security and police, to meet the needs of this agency. Specifically, we have requested one (1) additional security officer and one (1) police officer for each shift.

Recommendation No. 5 - Increase staffing to two (2) security officers on each shift at the Statehouse to provide greater security coverage of the corridors and office and basement areas. It is further recommended that these FTE's be classified as Communications Operators with funding budgeted in the 5401 SGF (State General Fund) program.

Advantage - Communications Operators will provide more professional and competent dispatching capabilities as security officers are presently assigned to perform these duties in the Docking State Office Building.

Use of Communications Operators instead of security officers, will relieve the security officers presently assigned to those duties so they may be reassigned to the Statehouse to augment security staffing there.

Note: Although no additional FTE's are provided for in the FY93 and FY94 Capitol Area Security Patrol budgets, additional FTE's are recommended.

Problem: Inadequacy of fire detection/warning system in the Statehouse. The present fire detection currently in use at the Statehouse is inadequate. The smoke detectors are too few and too localized. There is no audible warning system available to provide timely warning to occupants.

Recommendation No. 6 - The Safety Assistance Committee, established by the Director of Facilities Management, has addressed the issue of inadequate fire detection and warning in the Statehouse. A fire safety survey of the Statehouse conducted by the State Fire Marshall's office also addresses these inadequacies.

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The Capitol Area Security Patrol is contacting industry representatives to determine equipment needs and costs to upgrade the present fire detection system and to provide audible warning to occupants of the Statehouse.

There is presently a Data Gathering Panel (DGP) in the Statehouse which is monitored by a Honeywell Delta 1000 electronic monitoring system located in the Docking Building. Several smoke detectors are connected to this panel and it is possible, additional alarm points can be added to this panel.

Advantage - A reduction of costs as this panel may be used to connect additional detectors or audible alarms. This provides for the safety of all persons as the audible alarms will be integrated with the present Honeywell system and placed strategically throughout the building to provide timely warning.

Problem: Authority of CASP police officers. The police officer's authority is limited to "on or about state owned, leased or rented property". The term "about" has not been defined by statute or attorney general opinion. Often times, the CASP police officers respond to calls for assistance, yet have no jurisdiction. Reliance upon other law enforcement agencies cannot be presumed as they too are short of manpower and face an increasing workload.

Recommendation No. 7 - To seek legislation granting county-wide authority for police officers of the Capitol Area Security Patrol. This legislation will give CASP officers the authority they need to go off of state property to continue criminal investigations or make arrests for offenses committed on state property within Shawnee county, Kansas. Under the current jurisdiction constraints, CASP police officers cannot even interview a victim or suspect in as a police officer when such interviews occur off state property.

Advantage - No fiscal impact as additional funding is not required. This will resolve the problems which CASP officers often encounter while they conduct investigations or followup leads which requires that they leave state property. This legislation will simply allow CASP police officers perform those duties expected of them.

Problem: Employee safety at 512 W. Sixth. Apparently, while walking to and from their parked cars, state employees who work at 512 W. 6th are being confronted by indigent persons or, persons in various stages of intoxication. These people apparently "loiter" near the office building, or in the area where the employees park their cars. As the employees pass by, they are approached and asked for money or are otherwise intimidated. Comments or actions directed towards the employee, gives reason to be concerned for their personal safety.

Note: The Capitol Area Security Patrol has not been made aware of these problems, nor consulted regarding the continued "harassment" of employees by those loitering in the area. We have inquired of Mr. Steve Markley, Director of Security for the Department of Human Resources and determined that employees at 512 W. 6th have not been reporting these incidents to our agency. We have however, responded in the past to two burglaries in which firearms were stolen.

Recommendation No. 8 - The Capitol Area Security Patrol can provide immediate relief for this problem by sending a CASP police officer when notified of any incidents. The officer will provide that assistance required to ensure the safety of these employees. CASP will contact and work with the supervisory staff of those agencies located at 512 W. 6th to make them aware of our availability and how to contact us.

Advantage - Immediate results will be realized by these agencies and without any cost to them.

Disadvantage - Present police staffing is not adequate to guarantee consistent response capability by CASP police officers. One (1) additional police officer FTE is needed for each of three (3) shifts. This will require 4.8 additional FTE's to provide the staffing level needed to respond to these and other requests from other state agencies.

Problem: Need for additional police officers to patrol parking lots. As of January 15, 1993, one additional FTE (Police Officer) was added to the Capitol Area Security Patrol with primary responsibility to patrol parking lots in the capitol complex. This officer is performing that duty and has resulted in an increase in the number of tickets being issued parking violations. The police officer is also expected to respond to specific complaints of parking violations on the Statehouse grounds, 801 Harrison and other locations.

When the daily staffing of police personnel allows, and our commitment to Cedar Crest has been met, a patrol officer is assigned to patrol the Statehouse grounds and 801 Harrison. However, this cannot be counted upon to continue on a daily basis as one officer on each shift is committed to the Governor's mansion. There are occasions when there are no extra officers to provide this additional coverage, therefore, parking violations may go undetected for longer periods until the officer assigned to parking control is able to go and check for these violations.

Recommendation No. 9 - An additional police officer FTE should be assigned to the Day shift with primary duties to supplement with parking enforcement. This officer would be assigned to enforce parking regulations on the Statehouse grounds and respond to other calls for assistance in the Statehouse. Increased severity of penalties for parking violations on the Statehouse grounds is also needed to serve as a deterrent to repeat violators.

Advantage - Increased staffing of one (1) FTE should result in better enforcement on the Statehouse grounds which will increase the number of violations detected and tickets written.

Disadvantage - Although this is the most effective recommendation, additional FTE's are costly due to salary and wages, training and uniforms and equipment.

Recommendation No. 10 - Legislation which will provide stiffer penalties for parking violations occurring on Statehouse grounds. Penalties such as increased fines, towing of vehicles and the use of "wheel boots" should be considered. "Wheel boots" would be placed on vehicles which have multiple violations or, for which warrants have been issued for the registered owner. The "wheel boot" would prevent the vehicle from being moved until the outstanding tickets or warrants have been taken care of.

Advantage - Fiscal impact would not be great. The only anticipated cost is for purchase of the "wheel boots" which cost approximately \$350 each.

Note: During the 1992 legislative session, the Capitol Area Security Patrol, in cooperation with the Director of Facilities Management and the Director of Legislative Administrative Services, requested legislation which would have provided for stiffer fines through a progressive fine schedule and the towing of vehicles for flagrant or repeated violations. No legislation was passed during that session.

Disadvantage - At the present time, there is no real deterrent to prevent repeat violators from abusing the system. Visitors to the Statehouse are often unable to find legal parking as there are only thirty-three (33) parking stalls on the Statehouse grounds and fifty-one (51) stalls on Lot No. 1 reserved for "Visitors". Many of these spaces are taken by violators. The typical fine for a parking violation on the Statehouse grounds is \$5.00, and certainly does not serve as a deterrent.

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Summation: In closing, the Capitol Area Security Patrol intends to increase efforts with the O.W.L. (Office Watch League) program to promote crime prevention in state buildings and, present safety tips to state employees.

Hopefully, this information has provided the information you have requested. The mission of the Capitol Area Security Patrol to provide police and security services in keeping with the Kansas Highway Patrol motto..."Service, Courtesy and Protection".

If we can be of any further assistance or, you have need of further information, please don't hesitate to ask.

Yours truly,

Lonnie R. McCollum
Superintendent


FRED JOHNSON, CAPTAIN
Troop K7CASP

FAJ:fj

cc: Major Richard Barta, KHP
Mr. Orion Jordan
Mr. Emil Lutz



MEMORANDUM

TO: Representative Marvin Smith, Chair
House Governmental Organization & Elections Committee

FROM: Emil Lutz *EL*
Director

DATE: February 5, 1993

RE: Capitol Area Security Improvements

This memorandum is in response to your request in the Local Government Committee of February 3 concerning a list of improvement/corrections pertaining to Capitol Area Security.

I feel that the two weakest areas pertaining to Capitol Area Security are (1) they are understaffed for their responsibilities, and (2) their security guards (white shirt personnel) do not have the training and cannot perform as expected, i.e., law enforcement authority (rescue and defense).

The following is a list of items in priority order separated between security and parking:

Security

- (1) Need additional security on duty, especially during evening and night. This also applies to the interim period.
- (2) Need to always have a guard on duty, stationed at or near the rotunda desk in a position to observe entry from all four entrances, again, especially after 5:00 p.m.
- (3) One of the "guards" on duty needs to be a police officer who can take immediate action to rescue or prevent possible harm. While the police officer is taking necessary action, the second guard could save time by calling for backup if necessary. If there is an emergency now, we have to wait until a police officer is summoned by radio and then proceeds to the Capitol.

Representative Marvin Smith
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- (4) After hours, people need to be able to leave the building through the nearest exit to where their car is parked and not force them to walk out the East entrance and then to wherever their car is located. As mentioned in the meeting, installation of "panic" bars on all ground floor entrances would solve this problem.
- (5) Any and all who enter the Capitol building after normal hours (generally after 5:00 p.m.) should be required to show their building pass and be required to sign in. No exception!
- (6) Train the security guards (white shirts) to also be "protection" in case of need, rather than just "checkers".
- (7) A duress alarm system needs to be installed in strategic locations, i.e. leadership offices, key committee chair offices, wherever possible threatening situations could develop, so that security could be silently signalled to "come to the rescue".

Parking

- (1) Need increased fines for intentional parking violators, i.e., lobbyists who collect parking tickets and pay them because it is cheaper and easier than paying for monthly parking stalls.
- (2) Need to be able to use "wheel locks" and/or towaway privilege for those who continually abuse the parking regulations.
- (3) Security needs additional coverage in their parking enforcement. Historically, after 3:30 p.m. enforcement has been nearly nonexistent, yet business continues at the Capitol until 5:00 p.m. The regulation requires enforcement until that time. Also when the Sergeant in charge is off duty, (generally at 3:30 p.m.) it is difficult to get answers from those covering his position. The answer is frequently, "you will have to check with Sergeant _____ when he returns tomorrow."

Note: Security has added one additional person to enforce parking starting this session and we have experienced an increase in the number of tickets written for violations.

EL:pp

cc: Speaker R. H. Miller
President Paul Bud Burke
The Future LCC Subcommittee Chair of Space and Security, ATTN. Jeff Wagaman
Captain Fred Johnson
Orion Jordan

Memorandum

TO: House Governmental Organization and Elections Committee
FROM: Senator Sheila Frahm
DATE: March 16, 1993
SUBJECT: SB 209

Chairman Smith and Members of the Committee:

Thank you for the opportunity to bring SB 209 to your attention. This is a process which began in the last legislative session, resulting from a summer interim study of 1991. It was a combination study of the Confirmations and Governmental Organization Committees. Last year, the bill passed the Senate overwhelmingly.

It was the recommendation of the summer interim committee to establish procedures of oversight for appointments. This bill is a result of that continued discussion. In the development we have worked with the Secretary of State's office, the Governor's office, members of the Confirmations Oversight Committee, both past and present, and, of course, with Legislative Research and Revisor's Offices.

The bottom line intent is to be able to develop and maintain a complete list of appointments. Attached to this memorandum is a sample copy of information which has been compiled and available on each appointment, which has emerged as a result of the continued discussion and cooperation of all parties.

Thank you for your consideration of this bill.

*Attachment 4
3/18/93*

Mr. Paul Dugan 267 N. Maize Road Wichita 67212 State Banking Board Public Member	D (316) 721-5500	04/30/94
Mr. Clarence Gideon 1500 Lakeside Drive Topeka 66604 State Banking Board Second District Banker	(913) 262-0102	04/30/95
Mr. Marvin Max 9700 Lamar Avenue Overland Park 66207 State Banking Board Third District Banker		04/30/95
Mr. Douglas Morley 507 East 4th Street Belle Plaine 67013 State Banking Board Fourth District Banker	(316) 488-2211	04/30/94
Mr. Jerry Patterson 105 7th, Box 115 Wakefield 67487 State Banking Board 2nd District Banker		04/30/93
Mr. Howard Paul Box 5318 Topeka 66605 State Banking Board Public Member		04/30/93
Mr. Michael Sarras 1619 North 81 Street Kansas City 66112 State Banking Board Third District Banker		04/30/94
Mr. Ray Shepherd P. O. Box 112 Fort Scott 66701 State Banking Board Public Member	D (316) 223-0900	04/30/95

Ms. Guylene Stoddard
1221 Nelson
Liberal
State Banking Board
First District Banker

D

04/30/96

L. 1989, ch. 230, § 1; Repealed, L. 1989, ch. 229, § 4; April 27.

74-2914.

History: L. 1979, ch. 242, § 7; Repealed, L. 1989, ch. 229, § 4; April 27.

74-2915.

History: L. 1986, ch. 289, § 1; L. 1987, ch. 294, § 2; Repealed, L. 1989, ch. 229, § 4; April 27.

Article 30.—STATE BANKING BOARD

Cross References to Related Sections:

Banking code, see ch. 9, arts. 7 to 20.

State bank commissioner, see ch. 75, art. 13.

74-3001 to 74-3003.

History: L. 1925, ch. 256, §§ 1 to 3; Repealed, L. 1947, ch. 102, § 143; June 30.

74-3004. State banking board; qualifications; appointment, senate confirmation, residence requirements; terms; vacancies. (a) There is hereby created a state banking board which shall be composed of nine members. Six members of the board shall be bankers with not less than five years' actual banking experience in a state bank in this state and three shall represent the public interest in the regulation, operation and control of state banks and trust companies. All members shall be selected from the state at large. No nonbanker member shall concurrently serve as an officer or director in any state or national bank or trust company wherever located. One of the nine members shall be elected annually as chairperson of the board. The board shall be appointed by the governor. Persons appointed to the board shall be subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Subject to the provisions of K.S.A. 1992 Supp. 75-4315c, of the six banker members, the governor shall appoint one from each Kansas congressional district as presently constituted and the remainder from the state at large. Appointment of nonbanker members shall be made with due consideration for achieving representation of the various geographic sectors of the state.

(b) Terms of members of the board shall begin on May 1 and shall be for three years. Each member shall serve until a successor is appointed and qualifies. No person shall serve more than two terms as a member of the board. In the event of a vacancy on the board, the governor shall appoint a new member of

the same qualification to fill the unexpired term.

History: L. 1947, ch. 102, § 100; L. 1961, ch. 387, § 1; L. 1978, ch. 308, § 62; L. 1981, ch. 299, § 55; L. 1982, ch. 347, § 36; L. 1987, ch. 54, § 13; L. 1992, ch. 262, § 11; July 1.

Source or prior law:
74-3001.

Revisor's Note:

The state banking board was reestablished and continued in existence by act of the legislature in 1981, see 74-7273.

Research and Practice Aids:

Banks and Banking § 17.
C.J.S. Banks and Banking § 35.

74-3005. Compensation and expenses; secretary; records. Members of the state banking board attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223. The commissioner shall act as secretary for said board and shall keep a permanent record of all meetings and proceedings of said board in his office.

History: L. 1947, ch. 102, § 101; L. 1974, ch. 348, § 61; July 1.

Source or prior law:
74-3001.

74-3006. Meetings; quorum; access to records; advisory. The board shall meet once each month, on such dates as it shall agree upon, and shall meet at such other times as the board may deem necessary or when called by the chairman of the board or any three members thereof. Six members of the board shall constitute a quorum, and a majority vote of the board shall be necessary to carry any question, and no action of said board shall be taken except in a formal meeting and after a favorable vote of a majority of the entire board. The members of the board during business hours shall have free access to all of the records in the office of the commissioner. The board shall act in an advisory capacity in all matters pertaining to the conduct and welfare of the banking department and the administration of the banking laws of this state except as herein otherwise specifically provided.

History: L. 1947, ch. 102, § 102; June 30.

Source or prior law:
74-3002, 74-3003.

Cross References to Related Sections:
Certain records deemed confidential, see 9-1712.