

Approved: February 7, 2000
Date

MINUTES OF THE SENATE WAYS & MEANS COMMITTEE.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on February 1, 2000 in Room 123-S of the Capitol.

All members were present except: Senator Downey, who was excused

Committee staff present: Alan Conroy, Chief Fiscal Analyst, KLRD
Michael Corrigan, Asst. Revisor of Statutes
Rae Anne Davis, KS Legislative Research Department
Debra Hollon, KS Legislative Research Department
Judy Bromich, Administrative Assistant to the Chairman
Ronda Miller, Committee Secretary

Conferees appearing before the committee:
Senator Dick Bond, Senate President
Representative Shari Weber

Others attending: See attached list

SB 387: Establishing the department of public safety

Background material for today's hearing was distributed by the Kansas Legislative Research Department (Attachments 1, 2, and 3).

The Chairman announced that approximately 45 minutes of today's meeting would be devoted to a teleconference with Ms. Pam Sillars, Deputy Director of the Colorado Department of Public Safety and Mr. Ray Slaughter, the Director of the Division of Criminal Justice within the Colorado Department of Public Safety. He told members that the conversation was scheduled to have been with the Director of the Department, Mr. Aristedes Zavaras, but he had been called to the capitol in Denver.

The Chairman noted that **SB 387** authorizes the creation of a new agency called the Kansas Department of Public Safety which Colorado has had for a number of years and requested that Ms. Sillars and Mr. Slaughter review the structure and operation of the Colorado Department of Public Safety. Mr. Slaughter told the Committee that the Colorado Legislature authorized the creation of the Department in 1984 and it was effected in 1985. He stated that the agency has changed since its inception, and now consists of four divisions under the supervision of the Director and Deputy Director. The four divisions are the State Patrol (analogous to the KS Highway Patrol), the Colorado Bureau of Investigation (somewhat analogous to the KBI), the Fire Safety Division (analogous to the Fire Marshal), and the Division of Criminal Justice (which does not show up in **SB 387** but whose functions are covered by various Kansas agencies). Mr. Slaughter noted that the Colorado Department of Public Safety does not include two divisions mentioned in **SB 387** - the Alcohol Beverage Control Division and the Emergency Medical Services Board.

In terms of how the Department has functioned, Mr. Slaughter stated that, though he has not been a part of the agency since its inception, his perception is that the Department has had its ups and downs. He said that it is on an upswing now with departmental integration doing well, the ability to have a single focus for state law enforcement is at an all time high, and staff coordination and lateral movement of law enforcement personnel is good. He added that the operation is not without fault, but the strengths outweigh the weaknesses.

Ms. Sillars, who has been with the Department since its inception, highlighted two areas which she

CONTINUATION SHEET

SENATE WAYS & MEANS COMMITTEE MINUTES

advised the Committee to study:

- fully funding the centralized support staff
- encouraging divisions to cooperate on a true basis to maximize the new partnership

In answer to the Chairman's question, Mr. Slaughter stated that the higher profile of law enforcement personnel and the opportunity for a cabinet level seat had proven valuable. He stated that there is an overall continuity of policy because of the nature of the Department, and cabinet heads work closely with the Governor for good coordination as well as a high profile. Ms. Sillars added that the public has shifted its attention to how critical it is to have a single point of focus for law enforcement, and the shootings at Columbine High School have helped the Department focus their efforts on how to react. She stated that the tide has swung from the attention associated with law enforcement to public safety.

The Chairman inquired whether consolidation of the agencies had resulted in opportunities for career advancement or employee retention. Both Mr. Slaughter and Ms. Sillars stated that this is one area where there was not a lot of interagency cooperation, and the Department has just recently begun to focus on opening up career paths between divisions. They agreed that the Department is just now seeing the effects of that and will see advances in the future.

Chairman Kerr inquired whether the consolidation had resulted in savings, especially in the areas of academies, laboratories, etc. The conferees stated that savings have been more of substantive policy and point of contact and less of a fiscal nature, because citizens can go to the Department of Public Safety rather than to separate agencies for assistance. In answer to the Chairman's question, Ms. Sillars stated that the divisions have retained their individual identities.

Senator Morris inquired whether there were any police chiefs or sheriffs who had gone through the consolidation and could contrast the level of coordination in 1985 with what it is now. Mr. Slaughter stated there is a Colorado Conference of Law Enforcement Agencies which he meets with regularly and they have welcomed the Public Safety entity. He said that the cooperative spirit and recognition of roles of each division has been a non-issue. Ms. Sillars told the Committee that the biggest fear initially came from a group of sheriffs who feared that the State Patrol Division would turn into a state police agency and run the counties. Now they are comfortable with the Department.

In answer to a question, Ms. Sillars stated that EMS is in the Colorado public health environment.

Senator Salisbury noted that the conferees had advised Kansas to include career advancement in its plan for consolidation and inquired how Kansas legislators could encourage that endeavor with legislation. Mr. Slaughter stated that bringing entities together to cooperate will be difficult, but the legislation could include intent language.

In answer to a question from Senator Ranson, Mr. Slaughter stated that the Governor appoints the Executive Director as a member of the Cabinet, the division heads of the State Patrol and Bureau of Investigation Divisions serve at the pleasure of the Governor, and the division heads of the Criminal Justice and Fire Safety Divisions "compete" - which means that candidates go through the personnel system tests and the Executive Director makes the choice. He noted that though all division heads report to the Executive Director, they are keenly aware that they are also reporting to the Governor. Ms. Sillars added that no one below the Executive Director position (which would be analogous to "Secretary" in **SB 387**) is confirmed by the Legislature.

In answer to a question posed by Senator Jordan, Mr. Slaughter stated that if there were a case of alleged wrongdoing within one division, the Executive Director would report to the Governor who would ask someone outside the consolidated group (such as the Attorney General) to investigate. In answering a question about checks and balances between agencies, Mr. Slaughter stated that the statute delineates that the nature and role of the Bureau of Investigation is upon the request of a local entity or at the order of the Governor.

Senator Lawrence noted that some concern has been expressed that consolidation might create new layers of bureaucracy. Ms. Sillars stated that there was a need for additional support staff, but all the services

CONTINUATION SHEET

SENATE WAYS & MEANS COMMITTEE MINUTES

were already present in the rest of state government. She did not believe there were more levels of bureaucracy.

Senator Feleciano inquired how the divisions compete for funding when faced with revenue shortfalls. She stated that the budget is presented as a departmental budget which forces the divisions to prioritize and look at the broader view of public safety.

Senator Dick Bond, President of the Senate, appeared before the Committee in support of **SB 387** and reviewed his written testimony (Attachment 4). In answer to questions, he stated it was his belief that consolidation could help with pay issues. There was some discussion about entities that could be included in the consolidation.

HB 2570: Creating a task force on consolidation of public safety agencies

Representative Shari Weber testified as a proponent of **SB 387**, noting that she had originally requested **HB 2570** (which creates a task force to study consolidation of public safety agencies). She reviewed her written testimony (Attachment 5).

The Chairman announced that the meeting scheduled for February 8 would be devoted to opponents and any conferees taking a neutral position on **SB 387** or **HB 2570**.

The meeting was adjourned at 12:15 p.m. The next meeting will be February 2, 2000.