

FEDERAL AND STATE AFFAIRS COMMITTEE

February 18, 1969

The meeting was called to order by the Chairman who then introduced Mr. Douglas, the Topeka City Clerk, to discuss HB 1073. See Mr. Douglas' statement attached.

Rep. Fribley appeared to discuss an amendment he would like to see attached to HB 1073, stating that he believed this amendment would create a bill truly in the public interest as he proposed to make all corporations and businesses chartered in the state of Kansas, open their meetings and minutes to the public since many of them dealt with subjects of real and vital concern to the general public.

Mr. Vincent DeCoursey appeared before the Committee to discuss HCR 1010, stating that this Resolution has the blessing of the Kansas Council of Churches; that he personally speaks for the Kansas Catholic Conference. Mrs. Katherine Menninger appeared also in support of the Resolution, stating that there are more than 2½ million people in Biafra who are suffering from starvation, primarily children; that even with some volunteer relief, there have been groups attempting to prevent the delivery of food and medical items to these suffering people; that the Resolution merely expresses concern and urges that the public support the needed help.

Rep. Unruh discussed H.B. 1323, stating that this could perhaps be called a "take-off" on "truth in packaging". Mr. Mikesic stated that he had a letter from a constituent asking for a clarification on gasoline pumps concerning octane content of gasoline in the various categories. Mr. Unruh stated that there are so many gimmicks to promote sales of gasoline and that some companies would have the consumer believe that their middle grade gas is even of higher quality than other companies ethyl; that this would enable the consumer to buy the proper kind of gas for his particular automobile. He expressed some concern in enforcement, stating that if a company bought from several different distributors it would be difficult to tell from which one he got his inferior grade of gasoline. There was some discussion about amending the bill, but Mr. Unruh suggested that action be deferred until the opposition had a chance to be heard.

The Chairman announced that on the 19th, the Committee would take up HB 1220, 1227 and 1284, and possibly vote on HCR 1010 if the Committee is ready.

The meeting was adjourned.

HB 1073
exhibit file 2-18-69

My name is William M. Douglass and I am City Clerk for the City of Topeka. However, I want to make it clear that I am appearing here today as an interested citizen and not in any official capacity.

Second, I also want to make it clear that I am not appearing to categorically oppose House Bill 1073.

Third, as a person who has spent a large share of his adult life as a working newspaperman and the past five years as City Clerk in Topeka, I feel I am in a position to speak with some authority on this subject.

I certainly agree with the proponents of this bill that all public decisions should be arrived at in public meetings which are open to the public. However, to propose such a bill, it seems to me, is to imply that this legislation is necessary to insure that public officials will honestly and properly perform the functions of their elective office.

Not all public officials are honest. However, during my many years of contact with public officials I have found the vast majority of them to be good men willing to give of their time and effort, often at personal sacrifice, to seek solutions to community problems rather than merely talk about them.

One of the greatest burdens public officials at all levels are called upon to bear is the continued criticism of their actions and the constant impugn^ging of their motives. Words of praise or encouragement are almost non-existent.

Perhaps it is understandable, but non-the-less regrettable that much of the responsibility for this rests upon the shoulders of the news media. Most of what the public knows about government is what they read in the newspaper, see on television or hear on radio.

It seems to me the news media carries a grave responsibility toward the community. But I sometimes wonder if it sets as high a standard for itself as it does for elected officials. Too often, it seems to me, we find the press exhibiting the attitude that "we know what is best for the community; disagree with us at your peril."

The public's right to know is a sacred right and I, for one, would not want to see it diminished or infringed upon in any way. But rights also carry responsibilities.

Proponents of this bill argue that officials have no right to make decisions in secret which affect the public; that the public has the right to know about the meeting, what is being discussed and who votes for or against the proposal. I do not disagree with this in principal.

However, I have attended a number of meetings, conferences, discussions--call them what you will--at which the press was present. Yet, nothing was reported on these meetings--so far as the public was concerned they were "secret."

I believe all of us should be aware that every time an editor decides whether or not to print or broadcast or televise a story, he is making a decision as to what the public shall or shall not know. If the story is used, he further decides how much or how little the public is to know. If the story is not used, he has decided either that the public does not have the right to know or that the public isn't interested. He is not required to justify this decision.

I well remember many years ago my city editor saying, "We are supposed to decide what the public wants to read. Frankly, I'm not sure we are qualified to make that decision."

I am sure you understand the point I am trying to make. A bill to force public officials to live and work in the spotlight of constant publicity may be fine. But should not the holders of the spotlight also be willing to live and work under the same conditions?

HOUSE BILL NO. 1073

By Committee on Federal and State Affairs

AN ACT requiring meetings of the governing bodies of municipalities, counties, certain boards, bureaus, commissions or organizations to be public meetings.

Be it enacted by the Legislature of the State of Kansas:

Section 1. All official meetings of the governing bodies of the municipalities, boards of county commissioners of the counties, boards of education of school districts, and all other boards, bureaus, commissions or organizations in this state, excepting grand juries, supported wholly or in part by public funds or expending public funds shall be public meetings.

Sec. 2. Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment in the county jail for a period not to exceed one (1) year or by both such fine and imprisonment.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

*Proposed Tribble
Amendment
1073*