

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Rep. Carol Dawson, at 9:00 a.m. on February 14, 1996 in Room 521-S of the Capitol.

All members were present except: Rep. Robert Tomlinson

Committee staff present: Dennis Hodgins, Legislative Research Department
Carolyn Rampey, Legislative Research Department
Jim Wilson, Revisor of Statutes
Donna Luttjohann, Committee Secretary

Conferees appearing before the committee: Rep. John Edmonds
Jan Kruh, AARP
Craig Volland, United We Stand, KS & Sierra Club
Rep. Tim Carmody
Carol Williams, KS Comm. Standards & Conduct

Others attending: See attached list

Hearing on:

HB 2850: Governmental ethics; concerning lobbying and lobbyists; requiring certain reports

Rep. Edmonds was recognized by Madam Chairman Dawson as the sponsor of the bill. He testified that the bill requires a complete and detailed report be filed by both the giver and receiver of funds. See Attachment 1.

Jan Kruh was recognized by the Chair as a proponent of the bill. She testified that the AARP supports full disclosure of lobbying expenditures. See Attachment 2.

Madam Chairman Dawson recognized Craig Volland to testify. Mr. Volland testified that his organization supports the concept of this bill but were concerned at the confidentiality during reconciliation of the reports. See Attachment 3.

Chair Dawson closed the hearing on HB 2850.

Hearing on:

HB 2877; concerning ethics; regarding lobbyists and reports filed by lobbyists

Chair Dawson recognized Rep. Carmody as the sponsor of the bill. He testified that the public wants legislators to be informed but not influenced by lobbyists. Rep. Carmody testified that the lobbyists' information should not be restricted but done in an educational and informative manner. See Attachment 4.

Carol Williams was recognized by the Chair to comment on the bill. She told the Committee that the Commission has approximately 650 organizations and she expected that not even one fourth will have to file reports because of this bill. She stated that every entry is put in the computer and that it will take approximately 8 days to do the report and that additional costs to the Commission would be minimal. There would be no need to hire new people for the undertaking.

Madam Chairman Dawson closed the hearing on HB 2877.

Chair Dawson called the Committee's attention to **HB 2696 regarding the reorganization of the Department of SRS**. Jim Wilson, Revisor of Statutes, explained the bill to the Committee. Discussion from the Committee entailed Rep. Haley submit copies of a letter he received from Lucille Parli, KS Institute for the Blind and Visually Impaired. See Attachemnt 5.

On a motion by Rep. Yoh and seconded by Rep. O'Connor, HB 2696 passed with favorable recommendation.

The Madam Chair adjourned the meeting at 10:20 a.m. and announced that the next meeting would be February 15, 1996, in Room 521-S of the Capitol.

Testimony in support of House Bill 2850

presented to

House Committee on Governmental Organization and Elections

by

John Edmonds
Representative, 112th District

February 14, 1996

I would like to thank you, Chairperson Dawson, and your committee members, for the opportunity to present testimony to you on behalf of House Bill 2850. As you know, a great deal of attention is currently being paid to the subject of governmental ethics. HB 2850 is my attempt to make a positive contribution to the ongoing discussion of this topic.

HB 2850 is prefaced on the notion that "sunshine" and full disclosure are the essence of good public policy. The bill makes no changes regarding the legality of gifts, meals, entertainment, and so forth. Lobbyists whose aggregate spending does not exceed \$100 in a reporting period remain exempt. What the bill does do is to require complete, detailed disclosure by lobbyists and recipients of all gifts and hospitality.

I have occasionally described this bill as the "double entry" reporting bill. Indeed, the defining feature of HB 2850 is its requirement that all activities be reported in detail by both giver and recipient. These reports would be reconciled and made available to the public.

The principal advantage of dual reporting is the ability to provide information to the public that is both detailed and accurate. We are all aware of unfortunate occurrences when campaign contributions are inaccurately reported. Imagine the difficulties which might arise from inaccurate reports of lobbyist gifts and hospitality.

We have an obligation to the public to provide information. It is in the best interest of the citizenry, as well as the office holder, that this information also be as accurate as possible. Dual reporting can meet this goal. I urge your favorable consideration of House Bill 2850.

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Attachment 1

American Association of Retired Persons

Statement on House Bills 2850, 2877, 2924
to the
House Committee on Governmental Organization & Elections

by
Jan Kruh, Member
Kansas AARP State Legislative Committee

February 14, 1996

I am Jan Kruh, a volunteer member of the Kansas AARP State Legislative Committee. We represent the membership of Kansas AARP, and we defend positions to the Legislature that have been selected by the Kansas membership.

Kansans are asking the Legislature to tighten our lobbying laws. When AARP members across the state were canvassed for 1996 legislative priorities, 88% expressed the need for effective lobbying reform.

Openness and honesty in government are prerequisites for a democracy. These three bills on state governmental ethics presented today each have features to recommend them. The 1996 goal for AARP, however, is a complete disclosure of lobbying expenditures.

House Bill 2850 contains some provisions for reporting gifts and hospitality and identifying the recipient. Though this Bill stops short of a complete disclosure of all lobbying expenditures and full open information to the public.

The AARP State Legislative Committee urges this committee to approve legislation that does support full disclosure of lobbying expenditures.

Thank you for the opportunity to address the Committee.

HOUSE GOVT ORG & ELECTIONS
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Attachment 2

Testimony to the Governmental Organization and Election Committee on HB 2877 and HB 2850, Wednesday, February 14, 1996.

by Craig S. Volland representing United We Stand America, Kansas.

My name is Craig Volland. I am a volunteer member of United We Stand America, Kansas State Task Force on Campaign Finance, Lobbying and Ethics Reform. I'm also authorized to speak for the Kansas Chapter of the Sierra Club since Bill Craven is testifying on another bill at this time.

We support the concept of both bills, but would like to combine the best features of each. In general we support:

Full Disclosure.

1. We like the disclosure and reporting by legislators in HB 2850 but...
2. We dislike the confidentiality during reconciliation of reports provided for in section 1 (c) of HB 2850. This section provides no time limit for this process. Thus a special interest could conceivably wine and dine, get their bill and go home before the public found out. Also this process could be crippled by reducing the staff of the commission and thus dragging out the process. *(During questioning, I noted that the problem could be handled by putting a notice on reports made public saying something like "this report is preliminary and not yet reconciled."*
3. We agree with HB 2877's provision that includes lobbying by state and local agencies and by other taxing political subdivisions.
4. Lobbyists' salaries and office expenses should be reported along with lobbying expenditures. This is not in either bill, but should be.
5. Large events where all legislators are invited should not be exempted from reporting per HB 2877 because such events just constitute lobbying on a grand scale. *(During questioning I acknowledged that this would be cumbersome for legislators who are invited to number of these and don't go. If this type of event is registered at the Commission as inviting all legislators I agreed that reporting of the event by the lobbying organization should be sufficient).*

Consistency. In some places 2877 talks about entertainment and hospitality but not gifts; but in other places it cites gifts and hospitality but not entertainment. It's very confusing. Every reference should include entertainment, hospitality, gifts and recreation. These should also be defined in the law.

Thank you for the opportunity to testify before your committee.



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Attachment 3-1

cc. Jim Shetlar, Chair UWSA, KS. State Task Force on
Campaign Finance, Lobbying and Ethics Reform
Bill Craven, Kansas Chapter of the Sierra Club



TOPEKA

HOUSE OF
REPRESENTATIVES

TIM CARMODY
 REPRESENTATIVE, SIXTEENTH DISTRICT
 10710 W. 102ND STREET
 OVERLAND PARK, KS 66214

COMMITTEE ASSIGNMENTS
 VICE-CHAIR APPROPRIATIONS

ROOM 175-W
 STATE CAPITOL
 TOPEKA, KANSAS 66612-1504
 (913) 296-7695

Dear Colleagues:

House Bill 2877 has three components. The first includes within the definition of "lobbyist" any person paid or compensated by a governmental entity. The second component is on Page 2, Section 2, paragraph (b) that the lobbyist must report all expenditures, not merely those that exceed \$100. The third component is the italicized paragraph (c) on Page 2 which requires reporting of expenditures on individuals by the lobbyists.

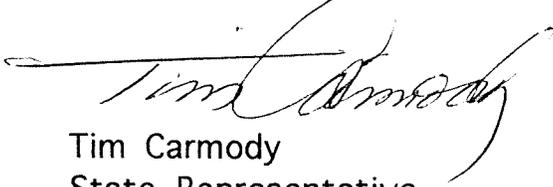
Points two and three are essentially the same as Senator Parkinson's proposal presented to the interim committee last summer. The first point is one that I have added to his proposal. The purpose of my proposal is to cover those individuals associated with universities, schools, counties, cities, and other governmental entities who are full time employees of those entities but whose job is not specifically considered lobbying under current law. For example, when the president of a university takes a legislator to lunch at their expense or at the expense of the university, I feel this should be treated in the same way as if contract lobbyists were doing the same thing. A contract lobbyist is going to be paid a sum of money whether they "produce" any results or not. The government official is usually, although not always, interested in obtaining favorable treatment for their respective budget. If the local entity's budget receives more money from the state then indirectly that individual could benefit through increased benefits, salary, etc. I want to point out that I am not attempting to prohibit contacts between lobbyists and legislators. The transmittal of information is absolutely essential to the working of the legislative process. But the process should value the transmittal of information above the context in which that information is delivered,

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 Attachment 4-1

whether that be over a lunch at the Top of the Tower, at a college basketball game, or with a free pass to a golf course.

I ask for your consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tim Carmody", written over a horizontal line.

Tim Carmody
State Representative
16th District



Kansas Association for the Blind and Visually Impaired, Inc.

AN AFFILIATE
OF THE
AMERICAN COUNCIL
OF THE BLIND

February 6, 1996

Representative David Haley
34th District
Kansas State Legislature
Room 284 S.
Topeka, Kansas 66612-1504

Dear Representative Haley:

Thank you for talking with Mr. Byington of Wichita Industries and Services for the Blind and myself earlier on this date. We discussed House Bill 2696 to which the Kansas Association for the Blind and Visually Impaired Inc. is opposed. If the Committee chooses to report this bill out favorably despite our objections, however, I would request that the bill be amended as follows:

ELIMINATE SECTION 2(c).

The adoption of the bill with this Section in its current form would be very confusing. It would make it virtually impossible to cross reference legislation in order to know what statutes are in force and what are not.

If the Secretary believes that it is important to eliminate organizational restrictions located in other parts of the statutes, then the statutes in question should be listed and repealed. It seems clear, however, that the statutes of major concern to the Secretary are all located in parts of the K.S.A. 75-53 . . . series. The Secretary does not seem overly concerned about a few statutes throughout the body of Kansas law which assign limited specific services to specialist divisions or commissions serving persons who are blind or who are deaf. We, on the other hand, believe it is extremely important to the efficient and cost effective provision of specialized services to these populations that these statutes remain in force.

In adopting the amendment as proposed, the Committee on Governmental Organization and Elections accomplishes two positive changes in the legislation. First it satisfies our concern that a degree of specialization in serving persons who are blind continues to be insured through the Kansas Statutes. Secondly, it makes House Bill 2696 much less confusing to adopt and implement in that it is clear exactly what statutes are effected.

Sincerely yours:

Lucille Parli
A05

Lucille Parli
Legislative Committee

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Attachment 5