

MINUTES OF THE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Terrie Huntington at 11:33 a.m. on March 29, 2011, in Room 159-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Jill Shelley, Kansas Legislative Research Department  
Ellen Martinez, Committee Assistant

Conferees appearing before the Committee:

Ron Hein, Hein Law Firm, Chartered

Others attending:

See attached list.

The Chairman called the meeting to order and opened the floor for final action on **SB 102 - Governmental ethics commission; candidate, lobbyist fee increases.** (Attachment 1)

This bill was sent back to the Committee from the Committee on Ways and Means to be reworked. Carol Williams, Executive Director, Governmental Ethics Commission, answered questions regarding the proposed fee increases for filing fees.

Ron Hein, Hein Law Firm, Chartered, an opponent, testified showing concern about the dramatic increase in the individual lobbying client fee which would be tripled under the Senate Ways and Means plan. (Attachment 2)

Senator Schmidt moved, seconded by Senator Apple, to increase filing fees for statewide offices from \$750. to \$1000. Motion carried.

Senator Schmidt moved, seconded by Senator Reitz to add to lobbyists reports, the date of expenditures on elected officials. Motion carried.

Senator Kelsey moved, seconded by Senator Apple, to amend **SB 102 - Governmental ethics commission; candidate, lobbyist fee increases** as proposed and to add the contents of **SB 102** into the **Senate Substitute for HB 2080**. Motion carried.

Senator Schmidt moved, seconded by Senator Kelsey, to amend into **Senate Substitute for HB 2080** technical amendments for the original **SB 130 - Elections; candidate filing deadlines; other**. Motion carried.

Senator Reitz moved, seconded by Senator Kelsey, that the Senate Substitute for HB 2080 be passed favorably as amended. Motion carried.

The meeting was adjourned at 12:10 p.m.

## SENATE ETHICS AND ELECTIONS COMMITTEE GUEST LIST

**Date:** March 29, 2011

[illegible]

Lobbyist Registration		FY 2012					FY 2013				
		Estimate	Fee	New Fee	SWAM FEE	SWAM Total	Estimate	Fee	New Fee	SWAM FEE	SWAM Total
Expenditures of \$1000 or less		975	\$35	\$105	\$100	\$97,500	975	\$35	\$105	\$60	\$58,500
Expenditures over \$1000		140	300	900	400	56,000	140	300	900	400	56,000
Lobbying firm employee		20	360	1,080	450	9,000	20	360	1,080	450	9,000
Amendments*											
<b>Lobbyist Total</b>		<b>1,135</b>				<b>\$162,500</b>	<b>1,135</b>				<b>\$123,500</b>
Political Action Committees		FY 2012					FY 2013				
		Estimate	Fee	New Fee	SWAM FEE	SWAM Total	Estimate	Fee	New Fee	SWAM FEE	SWAM Total
Contributions of \$500 or less		95	\$20	\$60	\$40	\$3,800	95	\$20	\$60	\$40	\$3,800
Contributions of \$501-\$2,500		75	35	105	70	5,250	75	35	105	70	5,250
Contributions of over \$2,501		100	240	720	500	50,000	100	240	720	450	45,000
Amendments*											
<b>PAC Total</b>		<b>270</b>				<b>\$59,050</b>	<b>270</b>				<b>\$54,050</b>
Candidates		FY 2012					FY 2013				
		Estimate	Fee	New Fee	SWAM FEE	SWAM Total	Estimate	Fee	New Fee	SWAM FEE	SWAM Total
Statewide		0	\$480	\$500	\$750	\$0	0	\$0	\$500	\$750	\$0
State Senate		95	35	50	200	19,000	0	0	50	200	0
House of Reps		230	35	50	150	34,500	0	0	50	150	0

Bd of Education	12	35	50	150	1,800	0	0	50	100	0
Judicial	150	35	50	150	22,500	0	0	50	100	0
District Attorney	10	35	50	150	1,500	0	0	50	100	0
County Offices	600	35	50	150	90,000	600	35	50	100	60,000
City Offices	25	35	50	75	1,875	150	35	50	75	11,250
Board of Public Utilities of Kansas	0	0	50	75	0	8	35	50	75	600
School Board (Wichita)	0	0	50	75	0	8	35	50	75	600
<b>Canidate Total</b>	<b>1,122</b>				<b>\$171,175</b>	<b>766</b>				<b>\$72,450</b>

Ethics FY 12 total: \$391,650

Ethics FY 13 total: \$373,850

SWAM FY 12 total: \$392,725

SWAM FY 13 total: \$250,000

Ethics Need: \$765,500

Proposal Provides: \$642,725

Short: 2012 2011  
 -\$1,075 \$123,850

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## Senate Ethics and Elections Committee

Testimony re: SB 102

Submitted by Ronald R. Hein

on behalf

Hein Law Firm, Chartered

March 29, 2011

Madame Chairman and Members of the Committee:

I am appearing this morning on behalf of Hein Law Firm, Chartered, and further on behalf of the multiple clients that we represent.

I oppose SB 102 as it was introduced, but many of my concerns have been addressed by the revised fee schedule discussed by Senate Ways and Means. I still have concerns about the large increase in the individual lobbying client fee, which would be tripled from \$35 to \$100 under the Senate Ways and Means plan.

The other lobby fee adjustments, as set out by Ways and Means, are more appropriate than original SB 102.

However, I do want to point out that the statewide candidates pay only \$500, Ways and Means version \$750, but such fee is to cover four years of the campaign, at least for the Primary election. There is a great deal of Governmental Ethics Commission oversight expected of such large reports, for that fee, considering the fees paid by political committees who are paying their fee every year, or by comparison with lobbying fees being paid every year.

I represent one client pro bono and the fee being proposed for such clients can still be burdensome on such smaller lobbying clients, although I recognize the difficulty of defining large vs. small lobbying clients.

Lastly, the fee for the catch up, for those lobbying entities who determine that they will spend in excess of \$1,000, should equal the total fee for such lobbying entity provided earlier in the section on page 4 of the bill. I note that the original law provided for different fees for those spending more than \$1,000, depending upon when they made the determination to do so.

I appreciate the opportunity to present this testimony today, and I would be happy to yield for any questions.

Ethics and Elections Committee

Attachment 2

Date 3-29-11