

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on February 10, 2000, in Room 529-S of the Capitol.

All members were present:

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Ken Wilke, Revisor of Statutes  
Graceanna Wood, Committee Secretary

Conferees appearing before the committee: Cindy Kelly, Kansas Association of School Boards  
Brilla Scott, Exec. Director United School Administrators  
Craig Grant, Kansas National Education Association  
Linda Baker, Teacher Dist. 501 and School Board Member

Chairman Hardenburger opened the meeting asking for approval of the minutes for February 1 and 2.

Senator Steineger moved that the minutes be approved as written, seconded by Senator Becker. Motion carried.

Chairman Hardenburger opened the hearing on **SB 231 concerning school districts; relating to membership on boards of education and repealing existing section.**

Cindy Kelly, Kansas Association of School Boards, testified in favor of the bill which would make it clear that an employee of a unified school district could not be a member of the board of education in the school district in which the person is employed. (Attachment #1)

Senator Becker asked if this situation had ever been challenged by the Kansas Supreme Court, and Ms. Kelly produced a copy of excerpts from the brief of *U.S.D. No. 501 vs Baker*, which is on appeal from the Shawnee District Court to the Kansas Supreme Court, a memorandum decision of the District Court of Shawnee County, Kansas, Third Judicial District, Third Division. (Attachment #2 (Attachment #3))

Brilla Scott, Executive Director United School Administrators of Kansas, presented testimony in support of the bill, advising the Committee that the board-member teacher would have access to confidential information about fellow teachers as well as supervisors during closed executive meetings. (Attachment #4)

Craig Grant, representing the Kansas NEA, in opposition of the bill, advised the Committee that KNEA already has some school boards with employees serving on the board and it does not seem to harm the operation of the schools. (Attachment #5)

Senator Lawrence asked why school boards should be exempt from the same kind of law that covers community colleges and universities. Mr. Grant advised that members of universities are appointed rather than elected.

Linda Baker, teacher in USD 501, also Board of Education of the District, gave testimony in opposition of **SB 231**. Ms. Baker advised the Committee that she has had no problems in the dual role as a teacher and a board member. She said many school board members had spouses that were employed as teachers in those school board districts. (Attachment #6)

Senator Huelskamp asked Ms. Baker if she excused herself from contracts, and she informed the Committee this has happened.

The Committee discussed conflict of interest of the dual roles. Chairman Hardenburger informed the Committee that there are some basic conflict of interest laws in the state of Kansas that do apply to

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situations similar to this. Other governmental organizations do ban being board members because they are an employee of the city or county. She suggested that there would be nothing to prevent the entire school board of being comprised of teachers.

Chairman Hardenburger closed the hearing on **SB 231**.

Chairman Hardenburger opened discussion on **SB 478 amending the junkyard and salvage control act; relating to county and township highways and repealing existing sections.** This bill would remove the jurisdiction of KDOT over county and township roads regarding salvage yards and junkyards.

The Committee discussed if “cities” should be removed from the jurisdiction of KDOT.

Senator Steineger moved to amend the bill by removing cities from KDOT jurisdiction, seconded by Senator Huelskamp.

The Committee discussed further if city ordinances would take care of problems regarding highways going through their cities and if the Federal government would take care of any laws required under its jurisdiction.

Motion carried.

Senator Vidricksen moved to pass the bill out favorably as amended, seconded by Senator Steineger.

Motion carried.

Meeting was adjourned at 2:30 p.m. Next meeting is scheduled for February 14, 2000.



Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.





