

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 March 14, 2000, in Room 245-N of the Capitol.

- All members were present except: Senator Steineger
- 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: Senator Tim Emert
Dan Hermes, Director of Governmental Affairs, Governor's Office
Kevin Robertson, President, Kansas Society of Association Executives
John Houlihan, Dept. of Adm., Division of Purchases
Dean Carlson, Secretary of Transportation
Linda DeCoursey, Director of Gov. Affairs, Insurance Department (written testimony)
Linda Wood, Kansas Development Financed Authority
- Others attending: See attached list

Chairman Hardenburger opened the hearing on **SB 389 concerning the capitol; relating to memorial for Kansas firefighters on the capitol grounds; prescribing certain powers, duties, functions, guidelines and procedures; advisory committee.** She informed the Committee that the bill was passed before in Committee, which provided guidelines and procedures for placing monuments on the Capitol grounds, and it was changed substantially in the House Committee of the Whole.

Senator Emert said that **SB 389** in its original form, passed out of the Senate Committee on Elections and Local Government and also out of Senate Committee of the Whole 40 - 0, which defined a standard procedure for placement of monuments could be placed on the Capitol grounds. When the bill went to the House Committee of the Whole, it was gutted and in its place was substituted 1999 **SB 72** which had passed the Senate body 36- 4, approval of the Firefighters memorial. Senator Emert presented amendments to the Committee. (Attachment #1)

The Committee discussed when this memorial would be erected, and Senator Emert advised the Committee that there is no time limit on it.

Seeing no opposition to the bill, Chairman Hardenburger closed the hearing on **SB 389**.

Senator Lawrence moved to adopt the amendment to **SB 389**, seconded by Senator Becker. Motion carried.

Senator Praeger moved to pass out favorably **SB 389** as amended, seconded by Senator Lawrence. Motion carried.

Chairman Hardenburger opened the hearing on **HB 2627 concerning state officers and employees; concerning governmental ethics; and repealing the existing sections,** also a bidding process that was added to the bill in the House.

Legislative staff briefed the Committee on **HB 2627**, which amends the State Governmental Ethics Laws to add a prohibition for soliciting and receiving certain gifts and services by certain state employees and to add additional disclosure reporting requirements by lobbyists, and requiring competitive bids on certain professional and consulting services.

CONTINUATION SHEET

The Committee discussed disclosure from an Internet web sight.

Senator Becker presented an amendment on **HB 2627**, which would report all gifts, entertainment or hospitality of any value accepted by any legislator. (Attachment #2)

Dan Hermes, Director of Governmental Affairs, Office of the Governor, presented to the Committee, proposals as it was introduced on behalf of the Governor, which would extend the current gift and hospitality ban to all unclassified employees in the executive branch. The current ban applies only to classified employees and unclassified employees under the direct control of the Governor. (Attachment #3)

The Committee discussed the gift ban, who is covered, and who has to report.

Kevin Robertson, President of the Kansas Society of Association Executives, informed the Committee that the members of the KSAE have a broad array of job responsibilities of various departments, such as Director's of Education, Governmental Affairs, etc. The Board believes that since all lobbyists are currently required to track their expenses for the existing reports, the addition of such an itemized report would not be overly burdensome, with the technology of today. (Attachment #4)

John Houlihan, Director of Purchases, presented testimony in opposition to **HB 2627** as it concerns competitive bidding. He said the goal of ensuring competition in obtaining professional services can be accomplished under existing laws. This bill would require development of an entire procurement system for professional services, separate and distinct from the primary procurement system administered by the Director of Purchases. (Attachment #5)

Dean Carlson, Secretary of Kansas Department of Transportation, in testifying in opposition to the bill, told the Committee that **HB 2627** among other things, would require competitive bid process within all state agencies for professional and consulting contracts not otherwise excluded by law. The bill would have a reverse impact. (Attachment #6)

Linda DeCoursey, Director of Government Affairs presented written testimony to the Committee in opposition to **HB 2627**, which referred to section one of the bill only which prohibits acceptance of anything of value by unclassified employees. (Attachment #7)

Linda Wood, Kansas Development Finance Authority, told the Committee that the KDFA are in opposition to this bill, as they do not want to be the State's "contract czar". (Attachment #8)

Chairman Hardenburger closed the hearing on **HB 2627**, and appointed a sub-committee, chaired by herself and with Senator Praeger and Senator Steineger.

Meeting was adjourned at 2:30 p.m. Next meeting is scheduled for March 15, 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.

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