

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 20, 2000, in Room 245-N 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: None

Others attending: See attached list

Chairman Hardenburger opened discussion on **HB 2627 concerning state officers and employees concerning governmental ethics; and repealing the existing sections.** She reported that the Sub-Committee stripped **HB 2627** and inserted a proposal on contracting and also a new section on lobbyist reporting. The proposal on the disclosure section is a former Senate bill which passed 33- 6 in 1996. The bill proposes if any lobbyists spend \$100 within a reporting period, they would be required to report those expenses and who received them. During the legislative session, reportable periods are monthly. After the session is over, the report is made in September and January. Currently, lobbyists only have to report an aggregate of expenses and in the category of food and beverage, entertainment and hospitality, gifts, honoraria, or payment, mass media communication, recreation provided as hospitality and communications. **HB 2627** would require that each individual expenditure be reported for the purpose of providing entertainment and hospitality in the form of recreation or food or beverages to members of the legislature. The report would be required to be reported every 30 days or every month during the session, and thereafter on the reporting date, and would have to list the name of the member of the legislature, the amount of each expenditure, plus his or her spouse, and the purpose for which the expenditure was made, whether it was for entertainment, recreation, food and beverages. Exemptions defined in the bill would apply to an invitation that would go to all members of the legislature, or to all members of a standing or joint committee, or to all members of a legislative delegation, when all those members were from the same congressional district. This would have to be published in the social calendar. Any expenditure that was below \$5 would not be reportable. Currently, anything less than \$2 is not reportable. (Attachment #1)

Senator Becker asked how one would define personal friend. He said he has a number of people who are personal friends and who are also lobbyists. The Committee discussed if the entertainment is charged to a lobbyist's company credit card, then it is probably business; however, if it is put on their personal credit card, then it is friendship.

Senator Gooch discussed how the records are going to be kept straight. The Committee discussed the importance of meeting and receiving information from lobbyists which is part of the process.

Chairman Hardenburger said a reporting bill penalizes leadership, because rank and file really doesn't get all that many individual invitations that leadership does.

Senator Becker told the Committee that the lobbyists play a very important part in the legislative process, and the lobbyists job is to inform the legislators on all sides of an issue, not just their side of an issue.

The Committee discussed other states which banned lobbyists favors. Senator Becker informed the Committee that the legislators in those states make much more in salary than Kansas legislators. Senator Lawrence said that it is necessary for some legislators to attend expensive dinners during the interim, which are paid by themselves. She added that if legislators are required to pay for every meal while in session, it would be hard to find anyone to run for the legislative offices.

CONTINUATION SHEET - MARCH 20, 2000

Senator Huelskamp said he did not understand what the discussion had to do with pay. Senator Lawrence said that the lobbyists will try to influence you one way or another, in the office, in the hallway, wherever, and they should have access to you at any time.

Chairman Hardenburger said that a registered lobbyist is employed to influence. That is the purpose of a registered lobbyist. He has to report to his employers of who he has entertained. There is total difference between a constituent and a registered lobbyist. A constituent has every right to persuade and to influence you, but he is not being paid to do it. The bill only pertains to registered lobbyists. A legislator can avoid any report by attending all of the events that are for the whole legislature, or for your Committee, or for your delegation from the Congressional district, or pay your own way.

Chairman Hardenburger said that the public seems to think there is a problem. If this is brought up at any public forum, there is disdain for the situation that is going on.

Senator Steineger said a ban on food and entertainment for disclosure purposes should be worked on in the future.

Senator Lawrence said that whatever is done, will not satisfy the public that we are honest, good, hardworking people; they will always feel there is something really shady going on, and they want it stopped. The bill is not going to satisfy them.

Senator Gooch said **HB 2627** was not going to change anything as to how the public perceives the Legislature, but there is a chance they will say we did something by passing out this bill.

Chairman Hardenburger said that the legislators report contributions to their campaign, which is public information on the internet. These are contributions from registered lobbyists to our campaign, and we seem to not feel uncomfortable with that disclosure.

Senator Gooch moved that the bill be amended to ban all lobbyists contributions for hospitality, food and entertainment, seconded by Senator Huelskamp.

Senator Becker moved that a substitute motion be added to the amended motion presented by Senator Gooch to add contents of **SB 55** that was passed in the Federal and State Affairs Committee last year, regarding legislative pay raise, seconded by Senator Gooch. Motion carried.

No votes were reported by Senators Hardenburger, Huelskamp, Praeger and Vidricksen.

Chairman Hardenburger asked for approval of the minutes for March 8, 9, 13, 14, 15 and 16.

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

Meeting was adjourned at 2:30 p.m. Next meeting is scheduled for March 21, 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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