

STATE AFFAIRS COMMITTEE
January 25, 1968

The meeting was called to order by the Chairman, and Mr. VanCleave was introduced to discuss H.B. 1761. He explained that this proposal would require disclosure of interests by members of the legislature and increased the penalties over the present law. He explained that candidates for office must also file disclosure statements at the time of filing.

Mr. Fribley inquired if members of the legislature could still appear before the Highway Commission and other agencies-- that is laymen not lawyers? Mr. VanCleave stated that an individual would have to hire a lawyer to represent him; that his legislator couldn't do it unless he was a lawyer, but if you go on legislative business you could appear. Mr. Fribley inquired if a constituent requested him to appear on his behalf, if he could go, and Mr. VanCleave stated that he could indeed appear in that event; that there was no change from last session. Mr. VanCleave then emphasized that it bars one only if there is a conflict of interest. Mr. McGill asked if the state agencies give the legislative position special consideration in contrast to a lawyer in private practice and Mr. VanCleave replied that he believed it was the other way around. Mr. McGill requested clarification of relative on page two, line 23 and Mr. VanCleave stated it would be a relative by blood or marriage. Mr. McGill felt it should be more clearly defined. There was some questions by the lawyers on the committee concerning the possible necessity of listing all clients, when the client-attorney relationship is private and personal. Concern was also expressed that businessmen might have to list every customer. Mr. VanCleave did not believe this is true. The Chairman inquired if there is a place for drawing a line and Mr. VanCleave stated he didn't know but would have no objection if the Committee wanted to consider trying it. Mr. Rogers asked if he wouldn't admit that you would have to list every \$3.00 client under this bill, and Mr. VanCleave said that the bill said legal or equitable interest and that is the way it is. Mr. Bunten expressed concern about the interest of relatives and stated that maybe the relative would object. Mr. VanCleave said he understood it to mean like being in business with your brother, you would report only your interest. Mr. Rogers stated that he believed this to be completely unenforceable and that we already have ample statutes to control special interests; that it would be a matter of harassment. He expressed the interest that so long as there was a part time legislature with so many different phases of interests there would always be conflict, but that they would govern themselves.

Mr. VanCleave then proceeded to discuss HB 1796, explaining that it is a companion bill to 1761, and sets up ethics committees; one for the House, one for the Senate and one for the agencies. He explained the makeup of the proposed committees, and Mr. McGill stated that on the floor during the morning, Mr. VanCleave was pleading for equal representation and that this is a departure from that plea. Mr. VanCleave stated that he would be pleased to discuss suggested amendments.

Mr. Doyen discussed H.B. 1636, stating that he had some "housekeeping" amendments to present, which simply brought years up to date, etc.; that the subcommittee comprised of himself, Mr. Buchele and Mr. Unruh were in agreement with these amendments. He then moved the adoption of the amendment. Motion was seconded by Mr. Unruh and carried unanimously.

The meeting was adjourned.