

Approved 3-25-91
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by SENATOR DON SALLEE at
Chairperson

1:30 ~~xxx~~/p.m. on March 18, 1991 in room 529-S of the Capitol.

All members were present ~~except~~ or excused:

Committee staff present:

Pat Mah, Legislative Research Department
Ardan Ensley, Office of the Revisor of Statutes
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Senator Dave Kerr
Patricia E. Baker, Kansas Association of School Boards
Onan C. Burnett, USD 501 Public Schools

Others attending: See attached list

The meeting was called to order shortly after 1:30 p.m.

SB-344 - School district lobbying and lobbyists, reports.

Senator Dave Kerr appeared in support of SB-344 noting the education budget entailed over one billion dollars in state aid. Therefore, it seemed prudent to require those lobbying on behalf of the school districts and the school districts themselves file and disclose expenses incurred in lobbying or attempting to influence legislators or state agencies. The bill would require reporting the total amount of all expenditures, disaggregated by expenditure, made by the school district for the payment of compensation to lobbyists the school district for the payment of compensation to lobbyists or other persons employed for lobbying.

Discussion concerned the possibility of establishing a threshold amount that would exempt those spending less than \$250.00. The addition of community colleges was suggested. The Kansas Association of School Boards organization and their budget, a portion of which goes to lobbying was discussed. A set general percentage was suggested although some use such services more than others. Another question was raised concerning affect Regents that come to the Statehouse with Senator Dave Kerr noting it would not affect them.

Pat Baker, Kansas Association of School Boards, appeared in opposition to SB-344 noting those who are registered already keep the same reports as any other lobbyist. Concern was expressed about singling out school districts for unique treatment under lobbying reporting laws when private business or other public entities are not included. Ms. Baker noted the bill goes beyond what is considered direct lobbying expenditures and would create quite an administrative burden on school districts and school officials. (Attachment 1)

Ms. Baker was asked whether having the principal report rather than the lobbyist as recommended by the Special Commission on Ethics suggested would be more satisfactory and she noted she had no problem with that.

Discussion touched on whether other groups with statewide organizations such as county treasurers, Kansas League of Municipalities, Association of Counties, American Legion, Farm Bureau, should not be subjected to the same requirements. A member noted school districts were singled out because that entity receives millions of dollars each year in state appropriations while other groups spend little by comparison. Ms. Baker noted school districts have bills in virtually every committee in the legislature.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

room 529-S, Statehouse, at 1:30 ~~xxx~~/p.m. on March 18, 1990.

Lines 12 and 13, page 2 "disaggregated by expenditure" was defined as "separate by type of expenditure." Senator Kerr noted this section was to permit the public to know what tax dollars were spent on such efforts and it appeared sensible to look at the problem and the amount being spent on lobbying.

Ms. Baker noted the bill, as drafted, would be very difficult to administrate but it was possible if the information gained was useful as well as the schools being treated like all other entities.

Onan C. Burnett, USD 501 Public Schools, noted support of Kansas Association of School Boards' testimony and stated that if instituted it should cover everyone and not single out school districts.

A member questioned whether it would not be of benefit to tax payers to know the amount of financial effort used to change the school funding formula. Mr. Burnett noted it should be a matter of record but he still felt if one group was forced to report all community colleges, and universities should be treated in the same manner.

Discussion noted individuals such as superintendents of schools providing meals for legislators would be considered a lobbying expense with Senator Kerr noting it would be a lobbying expense, also the travel time spent away from their job would be included as a lobbying expense, also, that if it was done on school time and tax dollars used as resources it would be considered lobbying. It would not be limited to just hired lobbyists as some individuals are employed by the school district and during the legislative session they spend a portion of their time lobbying. A member noted it was his feeling that the superintendent of schools in his district felt trying to influence legislators as a part of their job.

A member questioned if it was not school money would it need to be counted and Senator Kerr said it would not.

The meeting adjourned at 2:15 p.m.



Testimony on S.B. 344
before the
Senate Elections Committee

by

Patricia E. Baker
Associate Executive Director/General Counsel
Kansas Association of School Boards

March 18, 1991

Thank you Mr. Chairman and Committee members for the opportunity to appear in opposition to Senate Bill 344. Currently lobbyists for school districts and the school board association, are required by law to fill out expenditure reports as are all other lobbyists. We question the rationale for singling out school districts alone to adopt a very complex reporting and administrative system. Other entities, public or private, are not included in the purview of Senate Bill 344.

The provisions of Senate Bill 344 raise questions. Since the State Board of Education has general supervisory powers over local boards, do responses to surveys or contacts with State Board members or State Department personnel constitute "attempting to influence legislatures or state agencies."

The extensive administrative burden which school districts would face under S.B. 344 does not appear to be warranted by the information to be gained. Cities, counties, and regulated agencies are not being required to meet the same stringent requirements although they also lobby and influence legislators and state agencies.

Senate Elections
March 18, 1991
Attachment 1

We ask that you not adopt Senate Bill 344. I would be glad to answer questions.