

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Carol Dawson, at 9:00 a.m. on February 8, 1995 in Room 521-S of the Capitol.

All members were present:

Committee staff present: Carolyn Rampey, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Donna Lutjohann, Committee Secretary

Conferees appearing before the committee: Rep. Tom Sloan
Neva Entrikin
Mike Auchard
Kelly Jennings, KAPE
Rep. Dale Swenson
Rep. Tony Powell
Elizabeth Johnson, Citizen Participation Organization
Joyce Williams, Citizen Participation Organization
John Paulsen, City of Wichita
Larry Ross, Citizen Participation Organization
Alan Cobb, City of Wichita

Others attending: See attached list

Chairman Dawson opened the hearing on HB 2088 regarding the political activities of classified state employees.

Rep. Tom Sloan was recognized by the Chair. He testified that this was a fairness and non-partisan issue. See Attachment 1.

Chairman Dawson recognized Neva Entrikin. Ms. Entrikin testified that she was a classified state employee who had to terminate her employment with the State of Kansas in order to run for state representative. See Attachment 2.

The Chairman recognized Mike Auchard as a proponent of the bill. Mr. Auchard testified that other states were addressing this issue. See Attachment 3.

Kelly Jennings was recognized by the Chair. Ms. Jennings testified that KAPE favored this legislation to allow classified state employees the opportunity to run for office. See Attachment 4.

Chairman Dawson closed the hearing on HB 2088.

The public hearing on HB 2103 regarding the excluding of citizen participation organizations from paying a filing fee was opened by the Chair.

Chairman Dawson recognized Rep. Dale Swenson as the author of the bill. Rep. Swenson testified that the Wichita CPO's board members were elected by the people, however, they were not an officer of the government. See Attachment 5.

Rep. Tony Powell was recognized by the Chair as a co-sponsor of the bill. He testified that because the CPO's are strictly volunteers and do not get paid, they should be exempt from paying a filing fee. See Attachment 6.

The Chairman recognized Elizabeth Johnson as a proponent of the bill. She testified in regard to the history and background of the CPO's and the necessity of the organizations. See Attachment 7. Ms. Johnson also supplied written testimony from Judy Dillard. See Attachment 8.

Joyce Williams was recognized by the Chairman. She testified that there should not be a filing fee for citizen participation organizations because of the diverse economic status of some districts.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on February 8, 1995.

Some people have a difficult time coming up with the \$40 fee. See Attachment 9.

John Paulsen was recognized by the Chairman as a proponent of the bill. He testified that he thought this was good legislation and encouraged the committee to favorably pass the bill.

Larry Ross explained that the CPO's are the grassroots operation of the planning committee. He testified that the filing fee for the election of the CPO representative should be waived and urged the committee to pass the bill.

Alan Cobb was recognized by the Chair. He briefly testified that the City of Wichita also favored the passage of the bill.

Chairman Dawson closed the public hearing on HB 2103.

The Chairman brought the Committee's attention to the minutes of February 7, 1995. Rep. Cox made a motion to approve the minutes. It was seconded by Rep. Chronister. The motion carried.

Announcements were made by the Chair and she adjourned the meeting at 10:20 a.m.

The next meeting is scheduled for Thursday, February 9, 1995, at 9:00 a.m. in Room 521-S of the Capitol.

GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE GUEST LIST

DATE: February 8, 1995

NAME	REPRESENTING
Helen Stephens	Ks. Society of Land Surveyors
Connie Stewart	KS AFL-CIO
Tody Powell	legislator
Tom Sloan	legislator
Gail Sloan	—
Mike Anchar	KU Classified Senate
Neva Entekim	Self.
Karl Kotarski	Passer, Insurance, Block
Sandra DeBourcy	KS Insurance Dept.
ALAN COBB	City of Wichita
Dan King	—
RANDY FOSTER	Sec of State
TAMA WAGNER	STATE TREAS.
Kelly Jennings	KAPE
Judy Wolff	SAS
Carl Williams	KCGSC
Charlie Smithson	KCGSL
LARRY ROSS	CITIZEN PARTICIPATION ORGANIZATION - CITY OF WICHITA
Elizabeth Johnson	CPO - City of Wichita CPO - City of Wichita

TOM SLOAN
 REPRESENTATIVE, 45TH DISTRICT
 DOUGLAS COUNTY

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TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER: AGRICULTURE
 LOCAL GOVERNMENT
 ENERGY & NATURAL RESOURCES

Testimony on HB 2088

Permit Classified Employees To Seek Elective Office
 Representative Tom Sloan

Madam Chairman and Members of the Committee:

HB 2088 will permit classified state employees to seek elective offices - local, state and national - without first resigning from their employment.

1. First, I believe this is a fairness issue. Currently, unclassified state employees and teachers may seek elective offices without resigning from their positions - either to run for office or to serve if elected. In 1992, three state employees from Lawrence sought election to the House of Representatives - one had to resign her job before she could run, two did not. Both unclassified employees won and took leaves of absence to serve and then returned to their university positions. The third person not only lost the election, but had no job to which she could return. It is only fair that all state employees be treated the same.
2. Second, at a time when federal, state and local governments are making it easier for eligible citizens to register to vote and supporting programs like kids voting to increase the long-term number of potential voters, it is wrong to arbitrarily limit the number of persons eligible to seek elective offices.
3. There are more than 44,000 state employees, of which slightly more than 29,000 are classified employees. This is more than the population of 88 Kansas counties and more than such cities as Garden City, Junction City, Leawood and Prairie Village. If a law existed that persons living in 88 counties were excluded from the political process, the hue and cry from across our state would quickly result in a repeal. The fact that classified state employees live in all of our districts, rather than just in one community, should not mean they are prohibited from fully participating in the political process on which our nation was founded.
4. The state does not discriminate against candidates on the basis of gender, age, skin pigmentation, or physical condition. It is wrong to discriminate against a class of people because their employer is the people of Kansas.

Please remember, making classified state employees eligible to seek elective office does not mean any or all will do so. This bill is non-partisan, as the current prohibition affects Republicans, Democrats, Libertarians and Independents. Finally, should a classified state employee be elected, he or she will necessarily take a leave of absence from their employment, just as many of us do while we serve the people of Kansas.

HOUSE GOVERNMENTAL ORGANIZATION
 AND ELECTIONS
 February 8, 1995
 Attachment 1

NEVA ENTRIKIN
1737 Mississippi Street
Lawrence, KS 66044-4063

913-842-2123

TO: Government Organization and Elections Committee
Rep. Carol Dawson, Chair

FROM: Neva Entrikin
Former state employee

DATE: February 8, 1995

RE: HB 2088

I was a classified employee at the University of Kansas until June 23, 1992. My employment with the State was terminated on that particular date so I could file to run for the Kansas House of Representatives on June 24. K.S.A. 75-2953 states, "Any officer or employee in the state classified service shall resign their position upon becoming a candidate for an elective office, unless the elective office filed for is a township elective office, a county elective office, an elective office in the judicial branch of government or is elected on a nonpartisan basis."

If I had violated that statute by not giving up my job, I could have been charged with a Class C felony.

Two other employees of the University also became candidates for the State Legislature on or before June 24 but their employment was not terminated. Because they were in the unclassified service of the state they were exempt from K.S.A 75-2953 and were free to continue their employment while running for state office. The two candidates were professors who did take leaves of absence to run; but they still had the advantage of keeping jobs to which they could return when their political ventures had ended. They also had the advantage of maintaining their benefit package with the state: health insurance, retirement plan, and other perks while campaigning for the Legislature.

There is clear discriminatory treatment of state employees when the application of the law requires one group to be severely penalized for wanting to participate fully in the process of representative government while other

HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS
February 8, 1995
Attachment 2

groups of employees are not penalized for the same action.

Historically, the argument to maintain this differential treatment has been based on a difference in the status of classified and unclassified employees. One group (unclassified such as teachers and professors) gives up job security for the privilege of participating in the political process. The other group (classified such as managers and clericals) gives up participation in the political process for job security. The purpose of this historical distinction has been to protect the professional staffs from political intrusions and to allow policy-making employees to be discharged when administrations change. Job security has always been a major, defining characteristic in justifying who gets to run for office and who doesn't.

The fallacy in the argument that some employees need protection to maintain the efficiencies of governmental activities is that classified employee are not the only state workers who have job protection. There are state employees, other than classified employees, who also have job security, yet their political activities are not restricted and they can run for state office. These employees, university faculty and public school teachers are allowed to enjoy the best of both worlds -- job security and participation in the political process -- without the penalty paid by classifieds. It is inequitable for two groups of public employees, faculty, and teachers to enjoy both the privileges of job security and political participation without any trade-offs demanded by the state while one group (classified) is forced to give up job security to fully participate in the elective process.

Classified, unclassified, and public school teachers should all be treated the same. They are all public employees.

The courts have upheld that the state has a valid governmental purpose in restricting employees' rights to political activity. In *McKittrick v Kirby* (1942) the court, "allowed the legislature to create certain classes and to make laws applicable to some but not all of the classes, provided that the principle of justification rested upon some real difference which bore a reasonable and just relationship to the ends to be accomplished by the legislation." (from *American Law Review* 4th ed, p.754)

If, then, there are compelling state interests for the State of Kansas to prohibit some employees from political activity because it is necessary for an efficient work force, the State is inconsistent in the application of this

concept. For instance, all registered nurses working for the State were classified employees until KUMedical Center wanted to pay its nurses more than the pay scale allowed. The Med Center was successful in declassifying its nurses while others in the state remained classified. Therefore, the state would claim to have a compelling interest to prohibit a KUMC classified nurse from running for the legislature one year. Yet, the very next year, the same employee who was now unclassified, could have run for office and the state could not have claimed that it had a compelling interest in denying that candidacy. Was it because the nurse's duties or position had changed? Obviously not, the nurse still had the same working relationship with the state which had nothing to do with political activities allowed, or disallowed.

The same kind of story is continually repeated in state government. When I was president of the Classified Senate at K.U., technicians at the Computer Center wanted to change status from unclassified to classified so they could be on a state-wide salary schedule. That was done. In another instance, a former Classified Senate president (a zoologist) became an unclassified employee in order to upgrade his salary.

It becomes obvious that the state cannot claim validity for its policy of denying political activity to classified employees because it is necessary for the efficient operation of the state when the state is arbitrary in deciding who is classified and who is not.

The State of Kansas should be logical, consistent, and fair in the way it treats all of its public employees. Classified employees should have the same rights as all other state employees.

EDITORIALS

Double standard

Maybe this will be the year the Kansas Legislature eliminates the ban on classified state employees running for state offices.

Before the opening of the 1995 session of the Kansas Legislature, several House members stated their intention to seek term limits for legislators. One of their primary goals for increasing turnover in the Legislature was to allow more people with "real-life" jobs to run for office and serve.

That's kind of what Lawrence Rep. Tom Sloan has in mind, but he has a different method of moving toward that goal. He'd like to make it possible for classified state employees to run for state office without having to quit their "real-life" jobs first.

In his first session as a new legislator this week, Sloan decided to reopen an old issue. Neva Entriiken, a Lawrence Republican, ran up against the law prohibiting classified state employees from running for office when she decided to seek a legislative seat in 1992. In fact, Entriiken was forced to resign from her job in the Kansas University art history department before entering the legislative race, in which she later was defeated. Ironically, in the same election, two unclassified KU employees ran and were elected, while continuing in their state jobs.

Unclassified employees — mostly faculty and administrators — are required to take an unpaid leave of absence while the Legislature is in session. But when the legislative session is over, unclassified employees can go back to work. Classified employees — including a wide variety of employees from secretaries to maintenance people — on the other hand, are allowed no such leave. They are required to quit their jobs before even running for office. Whether they win or whether they lose, they have no job to go back to.

Entriiken said state employees probably also should be required to take leaves when running for office because of the time demands involved. But when the election is over and the legislative session over, classified employees, like unclassified employees, should be allowed to go back to work. Running for office shouldn't compromise their jobs.

The policy banning classified state employees from running for office apparently had its roots in concern over conflicts of interest. The thought probably was that state employees who held state offices would have too much influence over policy that affected their jobs and livelihoods. That threat may always exist, but it probably isn't serious enough to justify a double standard for two classes of state employees.

Entriiken said after the election that she might pursue the issue in court. It would be much better resolved through legislative action. The issue was raised last year but killed when an amendment to another election bill was rejected. Hopefully the issue will find more favor in the 1995 session. It would be a tangible step toward opening the doors of state office to more "real-life" candidates.

TODAY IN HISTORY

VIEWPOINT

THE ISSUE: CLASSIFIED STAFF, POLITICAL CAMPAIGNS

State employee law is biased

Not all of KU's employees were created equal — or so it seems as indicated by recent political events.

In order to run in the 1992 election for state representative, Neva Entrikin was forced to quit her job at KU. State policy forbade her from running or holding a state political office.

If Entrikin could not keep her job, it would follow that none of her state-employed co-workers with political hopes could either. This is not the case.

Working at KU are State Representative Barbara Ballard, director of Emily Taylor Women's Resource Center; and former state representative Forrest Swall, assistant professor of social welfare.

This dichotomy is possible because there are two hiring schemes for Kansas state employees, classified and unclassified.

Classified employees are civil servants who hold positions such as janitors or librarians, which have identical job descriptions and pay scales across the state. Unclassified employees hold jobs with unique descriptions and salaries that vary across the state, such as professors or administrators.

As in many states, unclassified staff are free to be

Unfair law prohibiting some state employees from seeking election could be considered a form of censorship

both politicians and employees

For example, Swall's experience as a state representative surely is an invaluable asset to his students in social welfare courses. His education was also put to good use in service to the state. However, the majority of state employees who are civil servants are prohibited from exercising both of those roles. Most states have similar restrictions.

The state mandates that a custodian may either mop the floors underneath the state rotunda or debate on the floors of its legislatures. To do both under the dome of our capital is out of the question.

Classified employees generally earn less than their unclassified counterparts. They rely on their jobs for their livelihood. Not allowing them to simultaneously run for office and work for the state is censoring them and denying the state potentially dedicated and worthy public servants.

Kansas should set a precedent for the nation and overturn this discriminatory law.

JOHN BENNETT FOR THE EDITORIAL BOARD

The University of Kansas

Classified Senate

Classified Executive Council

Testimony in Support of House Bill 2088 Governmental Organization and Elections Committee

Mike Auchard
President of KU Classified Senate
February 8, 1995

Representative Dawson and distinguished members of this committee:

My name is Mike Auchard and I am employed at the University of Kansas, Department of Student Housing, as a mason. I am also president of KU Classified Senate, which is an organization that represents the 1,716 classified employees at the Lawrence campus to the university's administration, the public, the Board of Regents and to the state legislature. KU Classified Senate is not affiliated with any other employee representative organization.

I am here today to speak in support of HB 2088, a bill which is attempting to redress what we feel is an inequity in K.S.A. 75-2953. I first became aware of this law in 1991 and have spoken to state legislators about it at every opportunity that presented itself since that time. In addition I have also written letters to various legislators and to the state attorney general. I feel very grateful that my district's representative, Tom Sloan, and seventeen other sponsors have brought this matter before you.

K.S.A. 75-2953 is in two parts. The first part is a basically good law. Its intention is to protect state employees from being coerced into participating in political campaigns by other employees in positions of authority and, of course, such protection is a good and necessary thing.

It is the second part of the law to which we object and that is addressed by HB 2088.

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HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS
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Attachment 3

This section of the law is bad not because classified employees are likely to want to run for partisan political office and it denies them the opportunity. (I personally don't know of any classified employees who want to run for office or could afford the expense of a political campaign.) This section of the law is bad because it discriminates against classified employees and in favor of unclassified employees for no good and just reason. It denies classified employees of the state of Kansas the right to participate in the decisions that affect their lives and the lives of every other citizen of the state. Classified employees and convicted felons are the only two groups denied these rights. The only people in this room who cannot run for partisan political office are me and any other state civil service workers who might be here. In order to run for partisan political office I would have to quit my job. This would jeopardize the well being of my family and make several bankers very nervous.

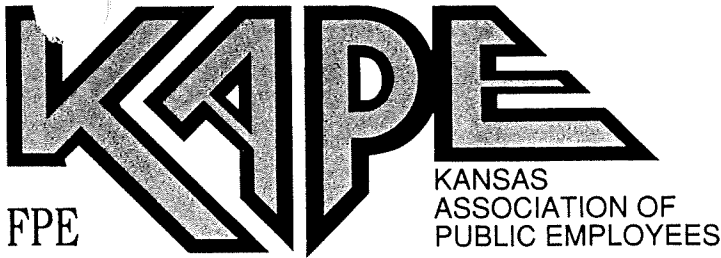
This law dates back to 1941 which is several years before I was born. I don't know what was going on in Kansas history at that time that compelled state lawmakers to pass this law. I can only assume that it was to protect the state against what must have been perceived as potential conflicts of interest. For example, state employees would be unable to vote on legislation affecting their retirement benefits or pay plans under this law, and on the surface this seems pretty reasonable. Everyone knows that conflicts of interest are to be avoided.

Something else that everyone knows is that conflicts of interest are as inevitable as the sun rising in the east. I would venture to say that there is not a single member of the state legislature who has not at one time or another had a piece of legislation in front of him or her that in one way or another would affect their personal fortunes or well being. Farmer legislators vote on farm bill. School teachers vote on education bills. Doctors vote on health bills. Legislators who have gas or oil well interests vote on mining and oil exploration bills. Legislators who own restaurants vote on liquor bills. There are so many conflicts of interest that one might almost say that life itself is a conflict of interest. What prevents people from abusing conflicts of interest are laws — and there are many, elections; and, more importantly and more basically, trust in our fellow human beings. What K.S.A. 75-2953 is saying to me and other classified employees is that we are the only group of citizens who cannot be trusted to put the

welfare of the state of Kansas above our personal interests. The irony of this is that we are employed by the very state that doesn't trust us. The effect of this law is to deny us our right to participate in the democratic process and to make us feel like second class citizens.

I have read that the new speaker of the house, Tim Shallenberger, wants to open the political dialogue to all people. This is an opportunity to do just that. I entreat all of you to help pass HB 2088. It is a just and moral bill. It is a reasonable bill. And what's more, it is a revenue neutral bill. Let the electoral process determine who should be allowed to serve. Give classified employees the same right to be heard that is enjoyed by other state employees.

Thank you.



1300 South Topeka Avenue Topeka, Kansas 66612 913-235-0262 Fax 913-235-3920

TESTIMONY OF KELLY JENNINGS

KANSAS ASSOCIATION OF PUBLIC EMPLOYEES

In support of

HOUSE BILL 2088

February 8, 1995

Distinguished members of the committee, good morning. My name is Kelly Jennings and I appreciate the opportunity to appear here today in behalf of the Kansas Association of Public Employees to speak in favor of House Bill 2088.

H.B. 2088 seeks to extend to public employees a right currently enjoyed by virtually every other segment of our society. That is the right to stand for election to public office without being required to give up their means of providing a living for their families during their campaign.

I am sure we can all agree that ours is a form of government which is designed to encourage the involvement of its citizens. The legislature is a perfect example of the vast array of professions represented by its members. Doctors, lawyers, teachers,

HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS

February 8, 1995 Attachment 4

Affiliated with the Federation of Public Employees / AFT / AFL-CIO



insurance agents, farmers, ranchers and realtors, among several others, are among the many who serve without the necessity of giving up their employment careers to do so. KAPE has long been of the opinion that employees in government are an excellent source of ideas for the improvement of government. The current restrictions in K.S.A. 75-2953 (b) serve to impede their involvement, if not to totally preclude it. Certainly a form of government established to be "of the people, by the people" was not intended to eliminate such a valuable resource.

The provisions of H.B. 2088, if passed, would simply allow those employees of the state classified service to, themselves, stand for election and to rise to a higher level of service to the citizens of this state. Passage of H.B. 2088 would be beneficial not only to the employees of the classified service to whom its provisions apply, but also in a larger sense to the Kansans they wish to represent.

It is, therefore, the position of KAPE that the provisions of H.B. 2088 are a positive step and as such should be adopted through passage of this bill.

I would be happy to answer any questions you may have.

DALE A. SWENSON
REPRESENTATIVE, NINETY-SEVENTH DISTRICT

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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: BUSINESS, COMMERCE AND LABOR
EDUCATION
FEDERAL AND STATE AFFAIRS

HB 2103

February 8, 1995

Testimony Before the
Governmental Organization and Elections Committee

Madam Chair and Committee Members, thank you for the opportunity to address you today.

HB 2103 seeks to exempt a local office in the City of Wichita from the campaign finance act. The office in question is the Citizens Participation Organization; from here on called CPO.

The CPO exists to act as a buffer between the citizens of Wichita and its City Council. The CPO, created by city ordinance, reviews and makes recommendations to the city council on issues that affect the lives of Wichitans. Its purpose is to advise the City Council on such issues as zoning, paving projects, local ordinances, budget, etc. The members of the CPO are publicly elected during a city-wide general election from the subdistricts they represent. They serve without compensation.

There are six city council districts, and three subdistricts in each district. Three council members are elected per subdistrict. The two

candidates in each subdistrict to receive the most votes receives a four-year term. The third place candidate receives a two-year term. Vacancies are filled by appointment. Meetings are held twice a month.

The CPO council provides an invaluable service. The City Council follows their advice almost 90% of the time. At CPO, citizens are able to express views, get questions answered, and gain information on how the business of city government is conducted. CPO sponsors public forums and town hall meetings on diverse subjects from the budget process, public safety, the future of the water department, and on and on.

Under current law, candidates for the CPO are required to file a reporting fee of \$30 to the Commission on Governmental Standards and Conduct. It is unfair to discourage people who wish to serve the city by burdening them in this way. The CPO staff needs a quick and generous response from us to insure that there are plenty of candidates in the upcoming election.

Many people who have served on the CPO have gone into other areas of government. Some have moved on to City Council or the local school board. Many legislators from Sedgwick County have been members of the CPO including Representatives Powell, Dean, Welshimer, Sawyer, Ott, and myself.

Thank you. I'll be available for questions.

TONY POWELL
REPRESENTATIVE, 85TH DISTRICT
SEDGWICK COUNTY
7313 WINTERBERRY
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COMMITTEE ASSIGNMENTS
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RULES AND JOURNAL
TAXATION
TRANSPORTATION

STATE CAPITOL, ROOM 182-W
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TOPEKA
—
HOUSE OF
REPRESENTATIVES

February 8, 1995

TESTIMONY IN SUPPORT OF HB 2103

BY

REPRESENTATIVE TONY POWELL

Madam Chairperson and Members of the Committee:

As one of the principal sponsors of HB 2103, I testify today in strong support of this legislation. HB 2103 would exempt members of the Citizen Participation Organization (CPO) from the requirements of the Campaign Finance Act, thereby relieving these persons from having to pay expensive filing fees and filing unnecessary campaign reports.

For those of you not familiar with CPO, it is a strictly volunteer, advisory board to the Wichita City Council. Unique to Wichita, the CPO Board responds to citizen complaints and receives citizen input on a variety of issues facing the City of Wichita. The CPO Board really has six boards, one for each city council district. Each CPO Board has nine members, each elected by the voters for 4 year terms.

Currently, CPO members must pay a \$40 filing fee--\$30 state fee and \$10 city fee--and must also comply with the Campaign Finance Act. Filing such an fee seems particularly excessive given the volunteer nature of CPO and the fact that CPO is strictly advisory. For these same reasons, compliance with the Campaign Finance Act is unnecessary. Since these

offices are voluntary, campaigns for this office are very low budget, and virtually all CPO candidates file an exemption form with the state indicating that they will not receive or spend in excess of \$500 during the campaign. In fact, I do not know of a single instance where a CPO candidate has spent more than \$500. This filing requirement wastes not only the candidate's time, but uses up valuable state resources processing these forms.

By eliminating the state filing fee and the requirement to file campaign reports, this legislation will eliminate costly and time consuming barriers to serving in this office, and will go a long way toward encouraging more people serve in CPO.

I would appreciate your support for this legislation, and thank you for your time and attention. I am happy to stand for questions.

Sincerely,



Tony Powell

CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

TESTIMONY ON HB 2103

PREPARED FOR THE COMMITTEE ON GOVERNMENTAL
ORGANIZATION AND ELECTIONS

By Elizabeth B. Johnson
Administrative Assistant, CPO Office
February 8, 1995

In 1975 the City of Wichita began its grand experiment with citizen outreach through Citizen Participation Organizations. At that time there were 15 Councils across the City, made up of citizens, who came together -- not at City Hall -- but in their own neighborhoods, to examine local issues and items of business that would come before the City Council, and then to provide their advice and counsel to the City's governing body. Today, 20 years later, CPOs, as they have come to be called, are still going strong in Wichita. Today, there are six CPO Councils, each Council with nine members for a total of 54 CPO Council Members, who continue to fulfill the function of providing a vital link between the citizens of Wichita and their City government.

From its inception, the CPO model was based on *elected volunteers* who would run for the position and be chosen by their neighbors -- during the municipal election -- to represent their neighborhood on the CPO Council. In recent years Wichita has moved toward district elections for City Council, and CPO districts were created to coincide with City Council districts, except that for CPO, each district is further divided into three subdistricts. There are three CPO Council Members elected from each subdistrict, thereby ensuring a broad geographic distribution of CPO Members across the City.

CPO Council Members come from all walks of life. Some are retirees, some work at jobs during the day. They are housewives, realtors, machinists, accountants, teachers, printers, radio sales persons, a seamstress, secretaries, and attorneys, plus two marketing managers from Beech, a project manager from Boeing, and a manager from Cessna. These folks are volunteers in the truest sense of the word. They spend two full evenings every month reviewing, discussing, and providing recommendations on most of the issues that will come before the City Council. *And for this they receive no compensation of any kind, not even travel expenses.*

In addition to providing formal recommendations to the City Council, CPO Councils serve as forums for neighborhood issues and complaints. They provide a place for problem solving to begin. Citizens may not want to approach a large, impersonal bureaucracy like City Hall. But they will come down to their local CPO meeting, talk with their neighbors, get some answers from City staff, and explore options for resolving the situation.

Recently, for instance, a neighborhood group approached the East CPO Council 2 with a problem regarding a drainage culvert under the Kansas Turnpike. It seems there had been problems with theft and vandalism in the neighborhood, and residents had good evidence which pointed toward the use of the very large culvert for concealment and a quick "get away." At the CPO meeting, a police officer attended to address law enforcement issues, the City's storm water supervisor was present to discuss the City's concerns in keeping the culvert fully operational for adequate storm water drainage. In the end a compromise was achieved with all parties, including the Turnpike Authority, doing their part to help the neighborhood solve this problem.

From the beginning, the City and the Sedgwick Council Election Commissioner have worked together to achieve CPO elections with a minimum of fuss and bother, while at the same time ensuring the integrity of the election process. The City charges a ten-dollar filing fee, which is given to the Sedgwick Council Election Commissioner to help cover the cost of the inclusion of CPO positions on the ballot. We think we have a good system, one that has served Wichita well for twenty years! However, it is difficult for us to sell citizens on a difficult, time-consuming, unpaid job that will cost them \$40, (the City fee, plus the state's new \$30 fee) just to apply for. At this time, with little more than three weeks to go until the filing deadline, only four persons have filed for CPO and paid their fee. A number of others have inquired and picked up the filing packet, but have not yet filed. We believe the state's \$30 registration fee is having a definite "chilling effect" on potential candidates for CPO. It does make it particularly difficult for low-income candidates. In the past few months, Wichita has begun a regeneration of *neighborhood leadership*. Today, more than ever before, neighborhoods are serving as wellsprings of renewed interest in and interaction with city government. We need to remove as many barriers to participation as we can.

We want to thank the legislators, especially former CPO Council Members Dale Swenson and Anthony Powell, for introducing legislation to address this problem. We thank you for holding this hearing. We ask you to recognize the unique characteristics of CPO Councils and CPO candidacy, and to remove the barrier of the \$30 state registration fee for our potential candidates.

EBJ
2//8/95

February 7, 1995
4560 South Hydraulic, #414
Wichita, KS 67216

Re: House Bill No. 2103

I want to thank the Sedgwick County delegation but most particularly Representatives Swenson and Powell for introducing this bill. As a elected (and unpaid) member of District 3 Citizens Participation Organization, I learned Saturday of your hearing Wednesday on HB 2103 which removes the \$30 "reporting fee" from citizens participation organizations created by ordinance by 1st class cities. I would hope the committee members will take into consideration the fact that many of us work and are simply unable to attend many meetings even though we have a definite interest.

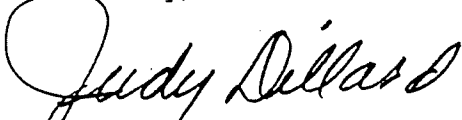
Like many taxpayers today, I certainly support campaign reform and reporting requirements for elected officials and understand the cost of handling must be recovered. However, we should be encouraging citizen volunteers, whether they are elected or serving on appointed advisory boards and regardless of the size of city which created them. That is what the Citizens Participation Organization in Wichita is - an unpaid neighborhood advisory board to the Wichita City Council without any authority of any kind.

Because we are elected, the current state law requires us to pay a \$30 fee the same as paid elected officials (yourselves, the governor, etc.). There is also a city filing fee of \$10 but that is waived if the candidate files a petition with signatures of 25 registered voters from their sub-district. With elections coming up in April, I have been trying to obtain a candidate for our local District CPO from one of our very low income areas called Plainview. Frankly, that \$30 filing fee has been a serious problem to those residents and others like them because they simply do not have that kind of money. Please understand that we do not have election committees nor do we collect campaign money to "run" for election. We simply file and wait.

Some of the Wichita representatives can tell you that the time involved can be extensive. We need people from the neighborhoods who care and understand their neighborhood issues and who are willing to spend time to help us provide citizen input not only to the Wichita City Council but to many other local agencies who come to us what the residents think.

We need to encourage volunteers and not handicap them simply because they are unfortunate enough to live in a first class city which has provided for organized and elected citizen input.

Sincerely,



Judy Dillard
Elected Member of CPO District 3

HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS
February 8, 1995
Attachment 8

My Name is Joyce Williams, Council Member, Citizen Participation Organization (CPO) District 1.2.

TO: The Distinguished Committee On Governmental Organizations and Elections.

RE: House Bill 2103 - A Bill to exempt CPO Members for the requirement to pay a \$30.00 filing fee in CPO Elections.

Currently the candidate must pay a \$10.00 City filing fee, plus \$30 State filing fee; totaling \$40.00.

To those of you who are familiar with the political processes; this is only the beginning in the execution of a successful campaign.

However; from the outset, "historically it is our charge as members of the CPO to provide an equitable system of participation improving access to the local governmental decision making process."

I quote from objective one CPO Background and History May 2, 1994 - Offices of the City Manager.

It is my belief that all of our citizens should have the right to participate in issues that affect their lives.

As insignificant as the \$30.00 filing fee may seem; many families have less than \$30.00 to feed themselves for one week.

- The U.S Poverty Guidelines of \$7,360.00 for one year, are an example of the fact that many people who might want to have a voice in their government are not able to part with \$30.00 for extras.

I urge your support of House Bill 2103.

Thank you for your kind attention!

Respectfully submitted,
February 7, 1995
Joyce Williams, CPO District 1.2, Wichita, Kansas

HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS
February 8, 1995
Attachment 9

1994 Family Income Guidelines For Head Start Programs

Size of Family Unit	Income
1	\$ 7,360
2	\$ 9,840
3	\$ 12,320
4	\$ 14,800
5	\$ 17,280
6	\$ 19,760
7	\$ 22,240
8	\$ 24,720

**For family units with more that 8 members, add
\$2,480 for each additional member.**

*** Guidelines may be adjusted for children or families
with special needs.**

**THE CITY OF WICHITA
OFFICE OF CITY MANAGER**

WICHITA CITIZEN PARTICIPATION ORGANIZATIONS (CPO)

BACKGROUND AND HISTORY

In 1975, the Wichita Board of City Commissioners identified a need to improve citizen participation in the municipal decision-making process. The Commission adopted the formal citizen participation organization structure to address this need.

The CPO process provides for election of nine citizen representatives from each of the six City Council Districts. Starting in 1993, each District now is divided into three sub-districts, with three citizen representatives elected from each Sub-District. Each Council meets twice a month, in the evenings, at neighborhood locations.

The objectives of the CPO include:

- To provide an equitable system of citizen participation, improving access to the local governmental decision-making process.
- To advise the City Council on services provided by the City.
- To enhance citizen input into comprehensive planning programs for social and physical development.
- To serve as an advisory board to the City Council on such items as:

Annual Operating Budget
Annual Capital Improvement Program (CIP)
Community Development Block Grants
Zoning and Land Use
Code Enforcement
Physical Improvements
Location of Area Service Programs

- To serve as an ongoing source of information from citizens at the neighborhood level to the City Council, City staff, and other boards and commissions.
- To serve as a channel of communication from the City administration to neighborhoods and citizens.
- To provide an "ombudsman" type of service to citizens who have questions or complaints about City services.

CPO BACKGROUND AND HISTORY

PAGE TWO

CPO is staffed by a professional staff of four: a Citizen Participation Coordinator, two Administrative Assistants, and one clerical position. CPO staff is responsible for facilitating Neighborhood Council and CPO Coordinating Board meetings, neighborhood public hearings and neighborhood meetings with City staff and City Council members. Staff help to set agendas, keep minutes, and facilitate the two-way communication to City departments and the City Council. CPO staff also handle citizen complaints and grievances; respond to citizens' requests for information and give educational presentations to educational and civic groups. In addition, CP staff members are trained mediators available to mediate various community disputes.

During 1994, CPO Council meetings were attended by 2,294 citizens, an average of 17 per meeting. Of 138 Council meetings in 1994, a quorum was present for 137 meetings (99%). In 1994, CPO Council members had a yearly attendance rate of 84%.

The community's level of interest in the organization is illustrated by the Council's membership and public involvement. As of December 31, 1994, CPO had a membership of 53 of a possible 54 positions (98%). A total of 39 members were elected (74%), with 14 members appointed (26%) by the City Council to fill vacancies. The percentage of females was 38%, compared to 52% of the City's total population; ethnic minorities constituted 11% of the organization's membership compared to 12% of the general population.

A number of CPO Council members have gone on to fulfill public service in other positions. Among these are Joan Cole and Stan Reeser, current City Council Members; Gary Bell and Skeets Winkler, former City Council Members; Tom Sawyer, currently minority leader of the Kansas House of Representatives; Ken Grotewiel, Ruby Gilbert, Gwen Welshimer, Wanda Fuller, and George Dean, members of the House of Representatives; Jean Schodorf, current School Board Member, and Mike Gragert, current member of State Board of Education. Also, former members of the state legislature Belva Ott and Jim Ward served on CPO Councils.

Numerous members of other City boards and commission have also served as CPO Council members, and many CPO Council Members volunteer on other City boards.

**1995 CPO ELECTION FACT SHEET:
WHAT YOU NEED TO KNOW IF YOU ARE RUNNING FOR CPO**

What are the qualifications for CPO candidates?

- o 18 years of age (or older) as of the date of the election
- o A resident of the Council area in which election is sought
- o A citizen of the United States of America
- o A registered voter

How do I file for election?

- o Pay a \$10.00 City filing fee or file a petition signed by not less than 25 residents (who are at least 18 years of age) of the CPO subdistrict in which election is sought (check made out to Sedgwick County Election Commissioner and given to City Clerk at time of filing)
- o Pay a \$30.00 State Registration Fee - Check payable to Sally Thompson, Kansas State Treasurer (given to City Clerk at the time of filing)
- o Submit, in duplicate, a "Declaration of Substantial Interest" when filing
- o Submit, in duplicate, the "Declaration of Intent, when filing
- o Submit the "Affidavit of Exemption" when filing (if you plan to spend less than \$500 and receive not more than \$40 from any one contributor)

When is the filing deadline?

- o Noon, Tuesday, February 28, 1995.

Where do I file?

- o City Clerk's Office - 12th Floor of City Hall, 455 North Main

When is the CPO Election?

- o Tuesday, April 4, 1995 (the same as the local municipal election)

Are there any changes from previous CPO Elections?

- o Yes, the State registration fee was increased by 20 dollars since the last CPO Election in 1993.

When and where do CPO Councils meet?

- o Northeast CPO 1 meets at 7 p.m. on the second and fourth Monday of each month at the Northeast Police facility, 21st and Hillside
- o East CPO 2 meets at 7 p.m. on the second and fourth Monday of each month at the Wichita Police Department Patrol East, Squad Room, 350 South Edgemoor
- o Southeast CPO 3 meets at 7 p.m. on the second and fourth Thursday of each month at Mount Vernon Presbyterian Church, 3700 East Mt. Vernon
- o Southwest CPO 4 meets at 7 p.m. on the second and fourth Thursday of each month at the Stanley-Aley Community Center, 1749 S. Martinson
- o Northwest CPO 5 meets at 7 p.m. on the second and fourth Wednesday of each month at the Orchard Community Center, 4808 West 9th Street
- o North Central CPO 6 meets at 7 p.m. on the second and fourth Wednesday of each month at City Hall, 455 North Main

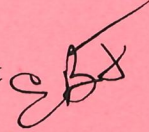
If you have other questions, please call the CPO Office at 268-4516.

**CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION**

DATE: January 4, 1995

TO: CPO COUNCIL MEMBERS

FROM: Elizabeth B. Johnson, Administrative Assistant



SUBJECT: 1995 CPO ELECTIONS

The following is the basic information regarding the upcoming municipal election. If there are questions, please call the City Clerk's Office (268-4529) or CPO Office (268-4516).

There will be **26 open positions for CPO Council Members in the April election**. Eighteen (one per subdistrict) are for four-year terms; eight are for two-year terms (the remaining term for vacated positions which have been filled by appointees). The top ranking vote-getter in each subdistrict will receive a four-year term, next ranking vote-getter, the two-year term.

Qualifications for CPO Candidates: 18 years of age or older as of the date of the election; shall be a resident of the Council area in which election is sought, a citizen, and a registered voter; cannot be a City employee.

CPO Candidates have until **noon, February 28, 1995, (the day of the primary) to file their candidacy with the City Clerk's office**. This is a later filing date than for other municipal offices.

The filing fee is \$10 if not filing by petition, plus \$30 for the State Registration Fee. To file by petition for CPO, a candidate must secure 25 signatures of "residents of the Council area in which election is sought." The State Registration Fee must be paid whether filing by petition or not. The filing fees must be paid by two checks, the one for \$10 made out to the Sedgwick County Election commissioner, and the one for \$30 made out to the State Treasurer. The City Clerk's Office will not accept cash.

If a candidate intends to receive or spend less than \$500 and receive not more than \$40 from any one contributor, an "Affidavit of Exemption from Filing Receipts and Expenditures Report Form" can be filed. Candidates can request this affidavit form from the City Clerk's Office, the Election Commissioner or the Kansas Commission on Governmental Standards and Conduct.

The "certification" of municipal positions is on the other side of this page.

EBJ

4-Jan-1995-16:43

Elizabeth Johnson

CITY OF WICHITA
CITY CLERK'S OFFICE
455 NORTH MAIN - 12TH FLOOR
WICHITA, KANSAS 67202

December 14, 1994

CERTIFICATE TO THE ELECTION COMMISSIONER OF SEDGWICK COUNTY

I, Patricia L. Burnett, Deputy City Clerk of the City of Wichita, Kansas, hereby certify that the COUNCIL MEMBER positions for DISTRICTS II, IV, V, and the MAYOR expire on April 11, 1995, and shall be on the April 4, 1995 ballot. The terms of office for Mayor and Council Members shall all be four years.

I further certify that the following Citizen Participation Organization positions shall be on the April 4, 1995, ballot:

Positions			Positions		
<u>Subdistrict</u>	<u>2-year</u>	<u>4-year</u>	<u>Subdistrict</u>	<u>2-year</u>	<u>4-year</u>
1.1		1	2.1		1
1.2	1	1	2.2	1	1
1.3	1	1	2.3		1
3.1		1	4.1		1
3.2	1	1	4.2		1
3.3		1	4.3	1	1
5.1		1	6.1		1
5.2	1	1	6.2		1
5.3	2	1	6.3		1

This Certificate is being issued in accordance with and as required by K.S.A. 25-2118.

Dated at Wichita, Kansas, this 14th day of December, 1994.

(SEAL)



Patricia L. Burnett
Patricia L. Burnett
Deputy City Clerk

Copy: Chris Cherches, City Manager
Gary Rebenstorf, Director of Law

CITIZEN PARTICIPATION OFFICE

_____ _____
 _____ _____
RECEIVED

DEC 15 1994

SEE _____
 COPIES TO _____
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