

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 15, 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

Conferees appearing before the committee: Carol Williams, KS Committee on Governmental Standards and Conduct  
Rep. Kent Glasscock  
Rep. Kenny Wilk  
Rep. Tom Bradley  
Pete McGill, McGill and Associates

Others attending: See attached list

Chairman Dawson departed from the published agenda to allow Carol Williams to testify on HB 2020, which is scheduled for public hearing on February 16. (Ms. Williams is unable to attend the meeting on the 16th, but will submit written testimony.) Ms. Williams appeared neither as a proponent or opponent of the bill, but gave the Committee background information. According to a May, 1990, opinion of the Committee on Governmental Standards and Conduct, under the Campaign Finance Act candidates or candidate committees may use campaign contributions only for campaign purposes or for expenses connected with holding political office. HB 2020 would allow candidates or candidate committees to use campaign contributions for the purpose of making contributions to the political party of which they are a member.

Chairman Dawson opened hearings on HCR 5010, which proposes a constitutional amendment to limit persons elected at any general election after December 31, 1996, to three successive four-year terms in the Kansas Senate and six successive two-year terms in the Kansas House of Representatives. Representative Kent Glasscock, a sponsor of the resolution, spoke in support of the measure, urging its adoption in order to preserve the concept of a citizen legislature. See Attachment 1.

Rep. Kenny Wilk also a sponsor of HCR 5010, spoke in support of the resolution as a means of restoring faith with the public, which no longer holds government in high esteem. See Attachment 2.

Chairman Dawson recognized Rep. Tom Bradley, a sponsor of HCR 5010, based his support of the measure on the need to be sensitive to constituency demands for legislators who respond to the needs of the public, not to self-serving measures to preserve their own incumbency. See Attachment 3.

Pete McGill, a former Speaker of the Kansas House of Representatives, spoke in opposition to the resolution. According to Mr. McGill, term limits would weaken the legislative branch of government in relation to the executive branch because the limits would deprive the legislature of its most experienced and seasoned members. Furthermore, new legislators would be the most susceptible to the influence of staff and lobbyists. In Mr. McGill's opinion, the public's negative attitude toward legislators is directed at Congress and imposing term limits on members of the Kansas Legislature would be an inappropriate solution to the problem. Mr. McGill will supply written testimony later.

Chairman Dawson closed the hearing on HCR 5010.

The hearing on HB 2267 which would require legislators to submit expense receipts for travel expenses or subsistence expenses or allowances incurred in attending any out-of-state meeting in order to be reimbursed for travel and subsistence expenses. Rep. Ken Glasscock, the bill's

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on February 15, 1995.

sponsor, spoke in support of the bill. According to Rep. Glasscock, the bill would conform legislative practice to practice in the private sector. See Attachment 4 for written testimony.

The Chairman closed the hearing on HB 2267.

Chairman Dawson informed Committee members that the Committee will meet Monday through Friday the week of February 20. She asked members to contact her about bills in which they are interested in order for her to plan the agenda.

Chairman Dawson called for Committee action on HB 2129 which prohibits the mailing of personal letters or cards by state officers and employees. Rep. Cox made a motion to pass the bill favorably. It was seconded by Rep. Toplikar. A substitute motion was made by Rep. B. Nichols and seconded by Rep. Haley to amend line 20, page 1 by inserting the word "knowingly" before the word "to". The motion passed. No further action was taken on the bill at this time.

The Chair adjourned the meeting.

The next meeting is scheduled for Thursday, February 16, 1995, at 9:00 a.m. in Room 521-S of the Capitol.



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HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
CHAIRMAN: LOCAL GOVERNMENT  
MEMBER: ECONOMIC DEVELOPMENT

**TESTIMONY  
HCR 5010  
Governmental Organization and Elections  
Rep. Kent Glasscock**

Madam Chair and members of the committee, thank you for the opportunity to appear today on behalf of HCR 5010. This concurrent resolution would put before the voters at the 1996 general election a constitutional amendment limiting the number of terms which can be served by state legislators.

The constitutional amendment proscribed by the bill would limit those persons elected at any general election after December 31, 1996 to three successive four year terms in the Kansas Senate and six successive two year terms to the Kansas House of Representatives.

As state legislative term limitations go, this clearly is not among the most draconian. My intent in offering this legislation is not to 'throw the rascals out', rather it's simply an attempt to underpin the citizen character of our Kansas Legislature by, in effect, drawing a line in the sand and telling legislators that 'at some point, you have to go home.'

Many who are in the forefront of the term limit movement would say that mine is a poor substitute for hard core term limitation. Perhaps so, but in my mind the question is not one of how tightly do we limit the electorate's power to determine their representation, but rather how strongly do we say to ourselves and those who would serve after us that this is a temporary job, a voluntary job, a job that cannot, should not, must not become a vocation.

HCR 5010 is not a radical plan. It is not a radical idea. Certainly, it isn't a new one. All the states which surround us have implemented some form of legislative term limitation:

*House GO and Elections  
2-15-95  
Attachment 1*

Colorado: Limit to eight years of consecutive legislative service.

Missouri: Limit to eight years in the House, eight in the Senate; sixteen years in total.

Nebraska: Limit two consecutive terms.

Oklahoma: Lifetime service limit of twelve years.

Arkansas: Limit of three two year terms for representatives,. two four year terms for senators.

There is no doubt that each of you has already stated your positions on term limits many times before. There is little that I could say that would alter the positions you have taken.

Let me just tell you quite simply, though, that I believe as did one of our early presidents, John Adams (who, I must admit, nearly everybody seemed to hate), that public servants are like sea foam which rises for a time above the body politic, glistening briefly before falling back into the sea of the American citizenry. In my mind, that is how our country and our state is best served, by those who would accept the power of their position for a time, knowing that they will soon return home to live with the laws they have made.

Another Adams -- Henry Adams --once said that 'a friend in power is a friend lost.' In a sense, we send our friends, our neighbors to serve us in the governance of our state. And, in a sense, those friends are lost to us while they are away. What is in many ways the seduction of service must be counterbalanced by the recognition that our friends in power must come home. At some point, in my mind, the system itself should send them home.

While it is true that in the current Kansas House of Representatives, the average length of service is less than five years, it is also true that this may not always be so. HCR 5010 is a constitutional change which will assure a citizen legislature for all time in Kansas. I believe this to be an appropriate change in the Kansas Constitution and one which will serve our state well for the next generation and the years beyond.

Madam Chair, thank you again for considering this resolution and I would be glad to stand for questions.



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TOPEKA

House of Representatives

COMMITTEE ASSIGNMENTS  
MEMBER: APPROPRIATIONS  
SUBCOMMITTEES:  
EDUCATION  
K-12 SCHOOL FINANCE

Testimony for HCR 5010  
February 15, 1995

Madam Chairman and members of the committee. Thank you for the timely consideration of HCR 5010.

Term limits tends to be a sensitive issues with some elected officials. The feelings, emotions, and beliefs run strong on both sides of the issue. There are strong arguments for and against term limits. I believe there's general consensus in the fact that the public has lost faith in government. This institution which we as elected officials represent has lost the confidence of the people of Kansas. This is not a problem at just the state level, rather I would suggest all levels of government from Congress to City Councils share in this problem.

I believe we've reached a point were real reform must be delivered to gain back the confidence of the people. The reform must include all facets of government and must be visible and believable. It needs to stretch from A to Z, and all functions of government need to be accountable and justified. Part of this reform in my opinion should be the right for the voters of this state to decide if they want their state elected officials to have term limits. Passage of this resolution does not mandate term limits. It would allow the voters of the state the final decision.

Many will say the voters have a right to term limits every two years, it's called an election. And that's correct, I agree. But it is my believe that throughout the state as a whole, elected officials have a huge perception problem. They want change and they want a voice in real reform. For the opponents of this measure, if you feel local voters share your believe that potential term limits apply every two years, this resolution should pose no concern. Those voters sharing that sentiment will vote no on this resolution if it reaches the ballot box. But I think we as a legislative body should have the courage to let the voters decide. Passage of this resolution would be a very visible and noticeable message to Kansan. I ask for your support of HCR 5010.

House G.O. and Elections  
2-15-95  
Attachment 2

TERM LIMITS; A TOOL FOR GOOD GOVERNMENT  
by TOM BRADLEY  
STATE REPRESENTATIVE -- 52ND DISTRICT, TOPEKA

Initially I had doubts about term limits for state legislators. At first glance, it appeared to be another "quick fix," long on rhetoric and short on substance. But after going door-to-door and talking to several thousand Topeka citizens. I have slowly changed my mind. When the statements and concerns of those citizens are distilled, a forceful and logical argument for term limits at the state level remains. The people are saying:

\*We want term limits. Yes, we return most incumbents to office, but this is largely due to the overwhelming advantages of incumbency (e.g., fund-raising, higher name recognition, political organization, etc.) Term limits will help balance the scales.

\* We want campaign finance reform. Term limits are a simple and effective finance reform measure. We believe any other package of reforms proposed by the Legislature will have loopholes and will eventually be circumvented.

\*We want our legislators to work more objectively on tough issues. Eliminating careerism and dependence on a legislative paycheck will encourage elected officials to make the hard decisions that are best for Kansans in the long run. Term limits will put the focus back on what is good for the next generation, not what is good for incumbents facing the next election.

\*We want citizen legislators who will volunteer, serve well, and then go home. The potential of serving twelve years in each Kansas house is long enough.

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Attachment 3

My interest in term limits is focused at the state level. The bill I propose solely addresses the Kansas House of Representatives and the Kansas Senate.

Everyone understands that term limits for the Kansas Legislature do not automatically solve our problems of economy, taxes and crime. Term limits are not an end in themselves, but a means to an end. When you build a house, you select good tools. Term limits are tools that will help us build a better government.

These actions are not those of an uninformed citizenry casting “knee jerk” votes, understanding not what they do. Rather, the citizens of the 52nd District are highly aware of the issues involved and I am continually impressed by their knowledge. I have no doubt that they completely understand what they are doing when they support term limits for the Kansas Legislature, as I do.

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**TESTIMONY**  
**HB 2267**  
**Governmental Organization and Elections**  
**Rep. Kent Glasscock**

Madam Chair and members of the committee, thank you for taking the time to hear what clearly is not one of the most earth shaking bills of the 1995 legislative session.

While not the dream of communications directors and press secretaries, HB 2267 is nevertheless a good bill, a common sense bill, a bill which clears up what certainly has been an oversight in legislative practice.

Unlike private business practice, current law does not specify that receipts are necessary to obtain reimbursement for legislative travel or subsistence expenses for out-of-state meetings. At this time, only an un-itemized statement of total moneys spent is needed. This legislation would simply require that expense receipts be provided before legislators receive their reimbursements.

Other changes in the statute are technical in nature.

Madam Chair, thank you again for hearing this bill and I would be happy to stand for questions.

*House G.O. and Elections*  
*Feb. 15, 1995*  
*Attachment 4*