

Approved: 3-13-95
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS, CONGRESSIONAL AND LEGISLATIVE APPORTIONMENT & GOVERNMENTAL STANDARDS .

The meeting was called to order by Chairperson Sen. Janice Hardenburger at 1:30 p.m. on March 7, 1995 in Room 529-S of the Capitol.

All members were present except: Senator Martin, Excused

Committee staff present: Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Stacey Soldan, Committee Secretary

Conferees appearing before the committee: Carol Williams, Kansas Commission on Governmental Standards and Conduct
Charlie Smithson, Kansas Commission on Governmental Standards and Conduct
Rep. Swenson

Others attending: See attached list

Senator Hardenburger requested approval of the minutes from February 22 and 23, 1995 meetings.

Senator Clark made a motion to approve the minutes and the motion was seconded by Senator Sallee. The motion carried.

HB 2124--Relating to state governmental ethics; declaring violations of certain provisions of law to be a crime

Carol Williams, Kansas Commission on Governmental Standards and Conduct, appeared before the committee to testify on **HB 2124**. (attachment 1) She stated that under current law there is no penalty for a state officer or employee who discusses or uses confidential information acquired in the course of his or her official duties to further his or her own economic interest or those of another person. She also stated that from 1974 to July 1983 this information was included in the criminal penalty section of K.S.A. 46-276 and it was inadvertently deleted from the statutes when amended in 1983. The commission requested favorable passage of this bill which would reinstate the penalty.

Senator Clark made a motion and was seconded by Senator Ranson to move **HB 2124** favorably out of committee and place it on the consent calendar. The motion carried.

Senator Hardenburger announced that on Thursday, March 9, 1995 the committee would have hearings on **HB 2122** and **HB 2222**. **SB 290** would also have discussion and possible action.

HB 2103--Relating to elections; concerning campaign finance

Rep. Swenson appeared before the committee to testify on **HB 2103**. (attachment 2) He briefly explained the bill would exempt the Citizens Participation Organization from the Campaign Finance Act and upon passage would also reimburse the \$30 filing fee if paid by the candidate for the April 4th election. He stated that CPO acts as a buffer between the citizens of Wichita and its City Council. He stated that the increase in the fee has resulted in a shortage of candidates.

Elizabeth Johnson, Administrative Assistant-CPO Office, submitted written testimony in favor of **HB 2103** because she was unable to attend due to inclement weather. (attachment 3)

Charlie Smithson, Kansas Commission on Governmental Standards and Conduct, appeared before the committee to testify on HB 2103. He stated that the Kansas Commission on Governmental Standards and Conduct did not have a position on HB 2103. He briefly explained why CPO would fall under the category as other elected offices.

Senator Ranson made a motion to recommend **HB 2103** for passage and place on the consent calendar. The motion was seconded by Senator Bond. The motion carried.

The meeting adjourned at 1:55 p.m.

The next meeting is scheduled for March 9, 1995.



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

. **Testimony before Committee on Elections, Congressional and
Legislative Apportionment and Governmental Standards
House Bill 2124
by Carol Williams
March 7, 1995**

House Bill 2124, which is before you this afternoon, amends a provision of the state conflict of interest statutes, K.S.A. 46-276. This bill is a recommendation made by the Kansas Commission on Governmental Standards and Conduct in its 1994 Annual Report and Recommendations.

Under current law, there is no penalty for a state officer or employee who discloses or uses confidential information acquired in the course of his or her official duties to further his or her own economic interest or those of another person. From 1974 to July of 1983, K.S.A. 46-241, which prohibits the disclosure or use of confidential information by a state officer or employee, was included in the criminal penalty section of K.S.A. 46-276. When this penalty section was amended in 1983, the word "to" was inadvertently deleted from "46-240 to 46-242", thereby deleting the criminal penalty for K.S.A. 46-241 in this penalty provision.

The Commission was conducting an investigation into a possible violation of this confidentiality provision when it was discovered the criminal penalty for violating this section no longer existed. The Commission recommends that once again, K.S.A. 46-241 be included in the criminal penalty provision, K.S.A. 46-276.

The Commission urges your support of House Bill 2124.

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

March 7, 1995

Testimony Before the
Elections, Congressional and Legislative Apportionment
and Governmental Standards

Madam Chair. 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, and upon passage will also reimburse the \$30 filing fee collected from the CPO candidates for the April 4th election. 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.

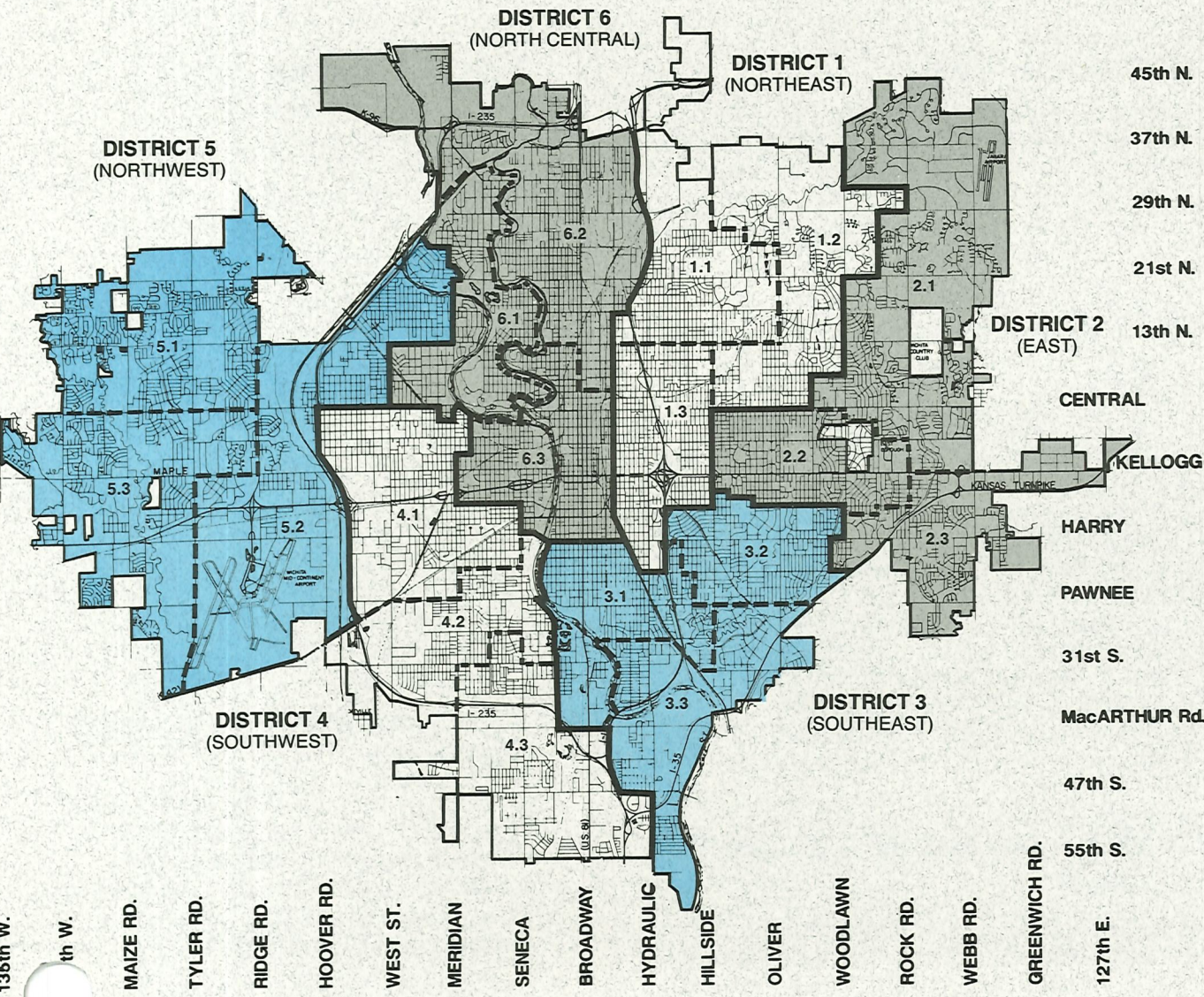
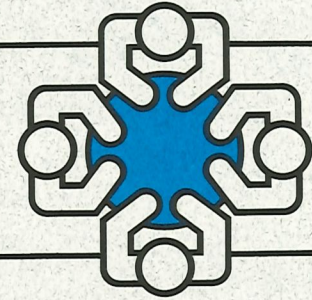
Senate Elections
3-7-95
Attachment 2

The CPO council provides an invaluable service as the City Council follows their advice about 90% of the time. At CPO, citizens are able to voice their opinions, have 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, which has been increased from \$10 to \$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. This increase has resulted in a shortage of interest among potential candidates. The CPO staff needs a positive response from us to prevent the CPO councils from losing their effectiveness and to insure that there are plenty of candidates in future elections.

Thank you, and I'll be available for questions.

C.P.O. Districts (City Council Districts)



what is

C.P.O.

?

**CITIZEN PARTICIPATION ORGANIZATION
ADVISORS TO THE WICHITA CITY COUNCIL**

participate!

Why Get Involved... What Are CPO Council Members Saying?

“ To make Wichita a better place,
for all of us. ”

“ I’m interested in having a part in
City development and neighborhood
preservation. ”

“ I can have more impact within
the system than outside the
system. ”

“ Serving on my CPO Council gives
me the opportunity to give back to my
community and to work for my
neighbors’ concerns. ”

What is CPO?

In 1975, the City Council created the Citizen Participation Organization (CPO) to advise the City Council and its staff on the needs and opinions of Wichitans and to provide residents with information on City policies and programs.

How do you become a CPO Council Member?

The City of Wichita is divided into six CPO Council areas. Each area is represented by a nine-member CPO Neighborhood Council. Members are elected during the City’s general election held in April of odd-numbered years. Registered voters may stand for election in the CPO district they reside by presenting a petition signed by 25 area residents or paying a \$10 filing fee to the City Clerk, and paying a \$10 state registration fee. Area residents are appointed by the City Council to fill vacancies that occur between elections.

When do the CPO Councils meet?

CPO Councils meet twice monthly at neighborhood locations. The meetings are open to the public and visitors are welcome and encouraged to attend.

What Issues do CPO Councils Address?

CPO Councils review and make recommendations to the City Council on issues that affect the lives of Wichitans. These issues include:

- Neighborhood Concerns
- Zoning and Development
- Streets and Sidewalks
- Law Enforcement
- Citizen Complaints
- Drainage
- Code Enforcement
- Community Development Block Grants
- Water and Sewer Service
- Historic Preservation
- Traffic Control
- Park Facilities
- Transportation
- City Code Revisions

How can citizens become involved?

Citizens can be involved by either serving on a CPO Council or attending CPO meetings to express their views and concerns. To find out about CPO meeting times and places, call the Citizen Participation Office at 268-4516.

Senate Elections
3-7-95
Attachment 2-4

**CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION**

TESTIMONY ON HB 2103

**PREPARED FOR THE COMMITTEE ON ELECTIONS,
CONGRESSIONAL AND LEGISLATIVE APPORTIONMENT
AND GOVERNMENTAL STANDARDS**

By Elizabeth B. Johnson
Administrative Assistant, CPO Office
March 7, 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 recommendations 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 provide 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 re-drawn 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 Council Members across the City.

CO 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 technical writer 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 received no compensation of any kind, not even travel expenses.*

Senate Elections
3-7-95
Attachment 3

Testimony on HB 2103

Page 2

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, and 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 County 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 County 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.

In the April election there will 27 open CPO positions. However, by the filing deadline of February 28, there were candidates filed for only 20 position. Seven subdistricts have openings for CPO Council positions, but have no candidates! 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 local 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 candidates.

Senate Elections
3-7-95
Attachment 32

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

DATE: March 1, 1995

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.

Senate Elections
3-7-95
Attachment 3-3

CPO BACKGROUND AND HISTORY

PAGE TWO

CPO is staffed by a professional staff of four: a Citizen Participation Director, two Administrative Assistants, and one clerical position. CPO staff is responsible for facilitating CPO 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 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; Ruby Gilbert, Gwen Welshimer, Belva Ott, 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 Ken Grotewiel 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.

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

Senate Election 5
3-7-95
Attachment 3-5

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 than 8 members, add
\$2,480 for each additional member.**

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

Senate Elections
3-7-95
Attachment 3-6

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.

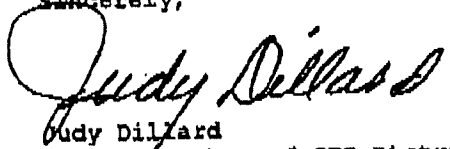
Like many taxpayers today, I certainly support campaign reform and reporting requirements for elected officials and understand the cost of handling must be recovered. However, we should be encouraging citizen volunteers, whether they are elected or serving on appointed advisory boards and regardless 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

Senate Elections
3-7-95
Attachment 3-7

**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.

Senate Elections
3-7-95
Attachment 3-8