

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Rep. Carol Dawson, at 9:00 a.m. on February 7, 1996 in Room 521-S of the Capitol.

All members were present except: All Present

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

Conferees appearing before the committee: Carol Williams, Governmental Standards and Conduct
Jill Crumpacker, Governor's Office
Harold Riehm, KSAE

Others attending: See attached list

Hearing on:

HB 2779: Concerning lobbyists' expenses; places recreation back under the gift category

Madam Chairman Dawson requested Mr. Jim Wilson, Revisor of Statutes, summarize the bill for the committee. He explained that the bill excludes recreation from hospitality and places it back under the gift category, as it was in the past.

The Chair recognized Carol Williams to speak to the bill. Ms. Williams explained that recreation is an activity in which the lobbyist physically accompanies the representative in a recreational activity such as golfing. See Attachment 1.

Madam Chairman Dawson recognized Jill Crumpacker to speak to the bill. She testified that the Governor's office would like the bill amended to include appointees by the governor to ensure that nepotism does not occur within his staff. See Attachment 2.

The hearing on HB 2779 was closed.

Hearing on:

HB 2781: Relating to campaign election finance: giving monies during the legislative session

Madam Chairman Dawson requested a summary of the bill by Mr. Jim Wilson. He explained the difference between "corporation" and "union".

The Chair recognized Carol Williams to speak to the bill. She testified that the bill would prohibit elected officials and candidates from receiving contributions from corporations and unions during a legislative session. See Attachment 3.

Jill Crumpacker was recognized by the Chair as a proponent of the bill. She testified that the Governor's office should also be included in this bill so to ensure that they operate under the same rules. She made a suggested amendment available to the committee. See Attachment 4.

Harold Riehm was recognized by the Chair. He testified that he was in favor of this legislation because of the numerous requests his organization had especially around Kansas Day activities.

The hearing on HB 2781 was closed.

The minutes for February 1 and 2, 1996 were brought to the attention of the committee. On motion by Rep. Benlon and seconded by Rep. Haley the minutes were approved.

The Madam Chair adjourned the meeting at 9:50 a.m. and announced that the next meeting would be February 8, 1996, in Room 521-S of the Capitol.



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

**Testimony before House Governmental Organization and Elections
House Bill 2779
February 7, 1996
by Carol Williams**

House Bill 2779, which is before you this morning, amends K.S.A. 46-237, a provision of the Kansas Governmental Ethics Laws.

The Commission has not had an opportunity to review this bill. Their next meeting is scheduled for February 20, 1996. Traditionally, the Commission has not taken a position on any bill not recommended by them in their annual report. I am testifying this morning to provide background information on current law and to answer any questions you might have concerning K.S.A. 46-237 and the proposed changes in HB 2779.

House Bill 2779 would remove the term "recreation" from the definition of hospitality. Under current law, recreation is a form of hospitality which means it is not presumed to be given to influence a state officer or employee in the performance of official duties. Therefore, like food and beverage, there is no dollar limit on the amount of recreation which can be provided to a state officer or employee. Removing recreation from the definition of hospitality would limit recreational activities to less than \$40 per calendar year for each state officer or employee from any one person with a special interest.

Prior to 1991, recreation was considered a gift and was subject to the gift limitation.

STATE OF KANSAS

BILL GRAVES, Governor
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OFFICE OF THE GOVERNOR
February 6, 1996

The Honorable Carol Dawson
Chair, Committee on Governmental Organization and Elections
State Capitol, Room 171-West
Topeka, Kansas 66612

RE: HB 2779 (an Act concerning state governmental ethics)

Dear Representative Dawson:

Thank you for your consideration of offering a committee amendment to HB 2779 which would strike current statutory language under KSA 46-246(c) which exempts "appointments of members of the governor's staff" from the state nepotism law. The resulting "exemption" language would then read as follows:

- (c) The provisions of this section shall not apply to any action involving the employment, appointment, promotion, transfer or advancement of any officer or employee occurring prior to the effective date of this act.

The result of the amendment is to subject the Governor's office to the same nepotism restrictions faced by other state officers and employees.

Please let me know if you have questions or desire additional information.

Sincerely,

A handwritten signature in cursive script that reads "Jill Crumacker".

JILL CRUMPACKER
Senior Legislative Liaison

cc: Governor Bill Graves
Brent Anderson
Joyce McGarry
Derenda Mitchell
Judy Krueger

HOUSE GOVT ORG & ELECTIONS
February 7, 1996
Attachment 2

**KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT****Testimony before House Governmental Organization and Elections
House Bill 2781
February 7, 1996
by Carol Williams**

House Bill 2781 amends K.S.A. 25-4153a, a provision of the Campaign Finance Act.

The Commission has not had an opportunity to review this bill. Their next meeting is scheduled for February 20, 1996. Traditionally, the Commission has not taken a position on any bill not recommended by them in their annual report. I am testifying this morning to provide background information on current law and to answer any questions you might have concerning K.S.A. 25-4153a and the proposed changes in HB 2781.

Current law prohibits any legislator or candidate for the legislature from accepting a campaign contribution from a registered lobbyist or political action committee anytime the legislature is in session.

House Bill 2781 would amend two portions of K.S.A. 4153a. The bill would extend the prohibition of receiving campaign contributions during session to any statewide officeholder or candidate for statewide office. In addition, this bill would prohibit corporations and unions from making campaign contributions to candidates for legislative and statewide office from January 1 through sine die adjournment of the legislature or any other time the legislature is in session.

K.S.A. 25-4153a has been in effect since 1990. Those political action committees which are affiliated with corporations have had their affiliated corporations make contributions to legislators during session. Commission staff believes this situation is inequitable.

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OFFICE OF THE GOVERNOR
February 6, 1996

The Honorable Carol Dawson
Chair, Committee on Governmental Organization and Elections
State Capitol, Room 171-West
Topeka, Kansas 66612

RE: HB 2781 (an Act relating to election campaign finance)

Dear Representative Dawson:

Thank you for your consideration of offering a committee amendment to HB 2781 which would add to the restrictions a ban on solicitation, as well as acceptance of those categories of campaign contributions during the legislative session. Such an amendment would require a new section to HB 2781, which would read as follows:

New Sec. 3: No candidate for membership in the senate or house of representatives, candidate committee for any such legislator or candidate state officer elected on a state-wide basis, candidate for state office elected on a state-wide basis or candidate committee for any such officer or candidate shall solicit any campaign contribution from a registered lobbyist, political committee, corporation or union. *Add date Jan 1 - May 15*

Section 3 of the current bill would then become Sec. 4.

Please let me know if you have questions or desire additional information.

Sincerely,

Handwritten signature of Jill Crumacker in cursive.

JILL CRUMACKER
Senior Legislative Liaison

cc: Governor Bill Graves
Brent Anderson
Joyce McGarry
Derenda Mitchell
Judy Krueger

HOUSE GOVT ORG & ELECTIONS
February 7, 1996
Attachment 4