

Approved: 3/7/96
Date

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

The meeting was called to order by Chairperson Janice Hardenburger at 1:35 p.m. on February 20, 1996 in Room 529-S of the Capitol.

All members were present except:

Committee staff present: Dennis Hodgins, Legislative Research Department
Gordon Self, Revisor of Statutes
Bonnie Fritts, Committee Secretary

Conferees appearing before the committee: Craig Volland, United We Stand
Carol Williams, Kansas Commission on Governmental
Standards and Conduct

Others attending: See attached list

SB 634 **concerning state governmental ethics; relating to reports filed by
lobbyists; inspection of records**

Senator Hardenburger opened hearings on the bill.

Carol Williams, representing the Kansas Commission on Governmental Standards and Conduct, testified before the committee in support of the bill. The current statute states that "Records in support of every report or statement filed shall be maintained and preserved by the lobbyist for a period of five years from the date of the filing of such report or statement and may be inspected under conditions determined by the Commission". The Commission wants the right to review all records, other than just receipts and invoices, to substantiate everything the lobbyist did during the reporting period. She also stated that the Commission believes it should be able to conduct as thorough an audit of a lobbyist's records as that of a candidate or political committee (Attachment 1).

Craig Volland, representing United We Stand, appeared as a proponent of the bill but gave no testimony.

Senator Hardenburger closed the hearings on this bill.

SB 545 **relating to state governmental ethics; concerning reports filed by
lobbyists**

Hearings were opened on this bill.

Dennis Hodgins gave an overview. Discussion followed.

Carol Williams testified as a proponent of this bill and submitted written testimony that included a sample of the "Kansas Lobbyist Employment and Expenditure Report" (Attachment 2). This is the form that would be used if this bill becomes law. She also stated that it is the expressed wish of the Commission to have all reports itemized (per legislator) and not reported in aggregate. Also attached was a list with totals of expenditures, broken down into categories, reported from 1990 to 1995; and it clearly shows that there was no itemization done on amounts spent per legislator.

After more discussion by members, Carol was asked to randomly pick ten registered lobbyists to see how they handle their reports and submit a report to the committee.

Craig Volland, United We Stand, also testified in support of this bill (Attachment 3).

The meeting adjourned at 2:28 p.m.

The next meeting is scheduled for February 21, 1996.



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Testimony before Senate Elections, Congressional & Legislative Apportionment and Governmental Standards Senate Bill 634 by Carol Williams

Senate Bill 634 amends K.S.A. 46-269(e), a provision of the State's Lobbying Laws. This bill was recommended by the Commission on Governmental Standards and Conduct.

K.S.A. 46-269(e) currently states "Records in support of every report or statement filed shall be maintained and preserved by the lobbyist for a period of five years from the date of the filing of such report or statement and may be inspected under conditions determined by the Commission". The Commission interprets this provision to permit an audit to be conducted of a lobbyist's specific records kept to support the report filed by the lobbyist.

The Commission believes it should be able to review all relevant lobbying records in order to perform a complete audit, not just the receipts or bills a lobbyist maintains to substantiate expenditures disclosed on his or her lobbyist employment and expenditures report.

The new language on page two beginning on line 9 states "All accounts, records and documents of the lobbyist which relate to every expenditure reported or which should have been reported ...may be inspected under conditions determined by the commission."

Under current law, the Commission has the authority to review all accounts and records maintained by a treasurer for any candidate, party or political action committee to conduct a complete audit.

The Commission believes it should be able to conduct as thorough an audit of a lobbyist's records as that of a candidate or political committee.

The Commission urges your support and passage of SB 634.

SENATE ELECTIONS
2-20-96
ATTACHMENT 1



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Testimony before Senate Elections, Congressional & Legislative
Apportionment and Governmental Standards
Senate Bill 545
by Carol Williams

Senate Bill 545, would amend K.S.A. 46-269, a lobbying provision in the Kansas Governmental Ethics Laws. This bill was recommended by the interim Special Committee on Governmental Standards.

The Commission supports Senate Bill 545 and endorsed this concept in its 1995 Annual Report and Recommendations.

Under current law, lobbyists report the aggregate amount or value of all expenditures if the expenditures exceed \$100. These expenditures are reported according to the following categories: food and beverage provided as hospitality; entertainment, gifts, honoraria or payments; mass media communications; recreation; communications for the purposes of influencing legislative or executive action; and all other reportable expenditures. When a lobbyist expends more than \$100 in a reporting period, he or she discloses only the aggregate amounts expended in the above listed categories.

For example, \$15,100 was reported being spent by lobbyists for recreation provided as hospitality. The type of recreation, who participated in the recreation and the value or cost of the recreation in each instance is not known.

SB 545 would amend K.S.A. 46-269 and would require a lobbyist to report the amount of each individual expenditure made for the purpose of providing entertainment and hospitality in the form of recreation or food and beverages to members of the legislature. The name of the legislator, the amount of each expenditure made for the legislator and or his or her spouse, and the purpose of each expenditure would be required to be reported. An exception to the provision would be the exclusion of expenditures for entertainment, recreation or food and beverages provided to members of the legislature attending any function to which all members of the legislature have been invited. Gifts would not require such itemization. This itemization would apply only to legislators, not to other elected state officials or other state officers and employees.

The Commission believes passage of SB 545 would provide more meaningful disclosure of lobbying expenditures and urges your support and passage of this bill.

SENATE ELECTIONS
2-20-96
ATTACHMENT 2

Kansas Commission on
Governmental Standards
and Conduct



109 West 9th Street, Suite
Topeka, KS 66612
(913) 296-4219
(913) 296-2548 (FAX)

Kansas Lobbyist Employment and Expenditures Report

A lobbyist is required to file a separate report for each registration filed with the Secretary of State.

Lobbyist Filing Report

Name of Lobbyist	Date
Address (Street, City, State, Zip Code)	Business Phone ()

Date Report Due and Period Covered, Check One

<input type="checkbox"/> February 10 (January)	<input type="checkbox"/> May 10 (April)
<input type="checkbox"/> March 10 (February)	<input type="checkbox"/> September 10 (May, June, July, Aug)
<input type="checkbox"/> April 10 (March)	<input type="checkbox"/> January 10 (Sept, Oct, Nov, Dec)

Name of Employer or Appointing Authority on Whose Behalf Report is Being Filed

Employer or Appointing Authority	Phone ()
Address (Street, City, State, Zip Code)	

If reportable expenditures for this period were \$100 or less, check here and sign below.

Expenditures (see reverse side for examples)

1. Food and beverage provided as hospitality	\$ _____
2. Entertainment, gifts, honoraria or payments	_____
3. Mass media communications	_____
4. Recreation provided as hospitality	_____
5. Communications for the purpose of influencing legislative or executive action	_____
6. All other reportable expenditures	_____
Total Expenditures	\$ _____

Signature of person filing report:

I understand that there are civil penalties for late filing and that the intentional failure to file this report as required by law or to intentionally make any false material statement herein is a class B misdemeanor.

Date

Signature

1990 - 1995
LOBBYIST REGISTRATIONS
AND EXPENDITURES

Year to Date	No. of Registered Lobbyists	No. of Registrations	Food & Beverage	Gifts, Hon. or Payments	Mass Media	Recreation	Communication	Other	Total
1990	631	943	394,373.33	33,647.69	234,730.83			80,109.51	742,861.36
1991	640	1039	437,276.93	26,457.50	73,365.81	5,585.75	9,540.73	67,226.73	619,453.45
1992	627	1002	448,365.90	28,411.17	102,149.67	5,700.47	79,976.91	59,273.10	723,877.22
1993	613	978	477,233.73	34,068.88	65,643.65	8,445.31	94,912.96	45,319.20	725,623.73
1994	621	1020	452,521.39	29,366.71	21,325.50	7,139.55	109,441.93	14,695.84	634,490.02
1995	627	1029	479,786.18	22,209.79	47,041.41	15,100.49	58,656.16	10,411.04	633,205.07

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Testimony to the Elections and Legislative Apportionment, and Government Standards Committee on SB634, SB545 and SB693 on Tuesday, February 20, 1996.

by Craig S. Volland representing United We Stand America, Kansas.

My name is Craig Volland. I am a volunteer member of United We Stand America, Kansas State Task Force on Campaign Finance, Lobbying and Ethics Reform. I'm also authorized to speak for the Kansas Chapter of the Sierra Club.

1. We support SB 634 proposed by the Commission on Governmental Standards & Conduct.
2. We support SB 545 except that:
 - a. lobbyists should also report general office and overhead expenditures;
 - b. it should contain the language added by SB634.
3. We support SB693 except that the following sections should be stricken:

Sec. 2d. We oppose the exemption from the \$5 limit given for entertainment and hospitality. In other words, we believe in *separate checks*. If this is deemed an unacceptable cost for legislators then we would accept a modest increase in their expense allowance so they could appropriately carry out legitimate state business.

Sec. 2g. We oppose the exemption for personal gifts received from foreign governments of up to \$100 which do not have to be reported. We feel such gifts are worse than gratuities accepted from domestic special interest groups. It's a simple matter of telling them that gifts are not acceptable.

Sec. 3 b&c. The reporting threshold should remain at \$2.00 unless Sec. 2d is eliminated.

While we oppose certain provisions in this bill, it still represents an improvement over current law.

Thank you for the opportunity to testify before your committee.



cc. Jim Shetlar, Chair UWSA, KS. State Task Force on
Campaign Finance, Lobbying and Ethics Reform
Bill Craven, Kansas Chapter of the Sierra Club

SENATE ELECTIONS
2-20-96
ATTACHMENT 3