

Approved: 3.18.97
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS.

The meeting was called to order by Chairperson Kent Glasscock at 9:00 a.m. on March 17, 1997, in Room 521-S of the Capitol.

All members were present except: Representative Bonnie Sharp, Excused
Representative Kenny Wilk, Excused

Committee staff present: Mary Galligan, Legislative Research Department
Mike Heim, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Fulva Seufert, Committee Secretary

Conferees appearing before the committee: Representative Shari Weber
Representative Dixie Toelkes

Others attending: See attached list

Chairperson Glasscock announced there would be hearings on HCR 5020 and HB 2507. He also announced that he intended to work HB 2490 and SB 205.

Chairperson Glasscock opened the Public Hearing for HCR 5020.

HCR 5020 - A proposition to amend section 2 of article 2 of the constitution of the state of Kansas, relating to senators and representatives.

The Chair welcomed Representative Shari Weber who spoke as a proponent for HCR 5020. Representative Weber said that she was anxious to share her ideas and the impact she feels HCR 5020 will have on the citizens of Kansas. The following is a summary of the provisions in HCR 5020:

Extend the terms for State Representatives from two to four years and for State Senators from four to six years.

Limit terms of legislators to three 4-year terms for Representatives and two 6-year terms for Senators.

Stagger the terms of House and Senate members by electing one-half of the House and one-third of the Senate every two years.

Start staggered terms for Representatives in 2000 by electing even numbered districts for 2-year terms and odd numbered districts to 4-year terms.

Start staggered terms for Senators in 2000 by electing one-third of the Senators to 2-year terms, one-third to 4-year terms and one-third to 6 year terms.

Provide for the election of Leadership in both Chambers every two years.

Expand the Senate from 40 to 41 members in 2002.

If it passes both chambers with a two-thirds majority vote, it will require an election of the people on the ballot of the state-wide election in 1998. (Attachment 1.)

Representative David Huff asked Representative Weber if she would be opposed to bringing the Lt. Governor back to serve as the tie breaker? She replied that she would not oppose this.

Since there were no other conferees, Chairperson Glasscock closed the Public Hearing on HCR 5020.

Chairperson Glasscock asked the Committee to turn its attention to HB 2490.

HB 2490 - An act concerning the practice of geology; providing for licensure and regulation as a technical profession; amending K.S.A. 74-7005 and 74-7006 and K.S.A. 1996 Supp. 74-7003 and 74-7013 and repealing the existing sections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 17, 1997.

Representative Gwen Welshimer stated that she had some concerns because so many types of people and professions were affected, and she believed that all the kinks had not been worked out as yet. Therefore, Representative Gwen Welshimer made a motion to table the bill to allow for further study. Representative Ruby Gilbert seconded. Motion failed.

Representative Welshimer added that there is a need to strengthen the language so that it doesn't upset the engineers. She also said that she felt that the Committee had not heard from all the geological professions.

Representative Gerry Ray asked how many engineers had testified, and the reply was "one."

Several questions were directed to Dennis Hedke concerning Steve Montgomery's suggested amendments. Mr. Hedke did not know about the amendments, but did address Representative Welshimer's concern on the definition of geologist/engineer. He also said that he believed Mr. Doyle Fair's fears to be unfounded.

Representative Ted Powers made a motion to amend HB 2490 with the balloon, but with the exception of the fee charge and striking the grandfathering clause. Representative Bob Tomlinson seconded. Mr. Stanley Grant explained to the Committee that new section 8 does remain in which defines the time line to get the process started which includes getting the policies, fees, and examination established. The question was called and the motion passed.

For clarification, Representative Lisa Benlon called the Committee's attention to the testimony of Mr. George Barbee and Mr. Bill Henry, both engineers, who stated in submitted written testimony that they did not oppose **HB 2490**.

Representative Gwen Welshimer questioned about its application to petroleum engineers and was informed that it did not affect them negatively.

Representative Larry Campbell made a motion to amend HB 2490 by adjusting the dates in the old section 7 to fit those in Section 8, and Representative Deena Horst seconded. A discussion followed which clarified that the dates needed to be reconciled so that the dates in Section 7 adhere to new Section 8. Motion passed.

Representative Deena Horst spoke to Doyle Fair's concerns by saying that what he had highlighted in his testimony to be his chief concerns had been addressed.

Representative Lisa Benlon made a motion to move out the amended HB 2490 marked favorable for passage. Representative Deena Horst seconded, and motion passed.

Chairperson Glasscock opened the Public Hearing for **HB 2507**.

HB 2507 - An act concerning townships; relating to the acquisition of cemetery property; amending K.S.A. 1996 Supp. 80-915 and repealing the existing section.

The Chair welcomed Representative Dixie Toelkes who spoke as a proponent of **HB 2507** which is in response to a request from Tecumseh Township and Bethel Cemetery Association to allow the township to assume all responsibility for the cemetery either as the owner or to manage it as a trustee. She said that both parties are desiring this change and that it would pertain only to this specific situation. (Attachment 2.)

Written testimony was also distributed from Mr. Bruce L. Myers, Treasurer and Board Member of the Bethel Cemetery Association, in favor of **HB 2507**. (Attachment 3.)

Written testimony was distributed from Mr. Don Proper, Topeka, in favor of **HB 2507**. (Attachment 4.)

The Chair asked for the Committee's pleasure in regard to **HB 2338**.

Representative Larry Campbell moved that the provisions of HB 2338 and HB 2507 be amended into SB 205. Representative Bob Tomlinson seconded. Motion passed.

Representative Deena Horst moved to amend the effective date of HB 2507 to be upon publishing in the Kansas Register. Representative David Haley seconded. Motion passed.

Representative Ted Powers moved to pass out SB 205 as amended and to recommend favorable for passage. Representative Gerry Ray seconded. Motion passed.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 17, 1997.

The meeting adjourned at 9:55 a.m.

The next meeting is scheduled for March 18, 1997.

THE KANSAS HOUSE

REPRESENTATIVE, 68TH DISTRICT
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JOINT COMMITTEE ON CHILDREN AND
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Representative Shari Weber

Testimony for House Governmental Organization & Elections Committee
Re: HCR 5020 Hearing: March 17, 1997

Thank you Mr. Chairman and members of the committee for the opportunity to appear before the Committee today. I am anxious to share with you information about HCR 5020 and the impact I feel it will have upon the citizens of Kansas.

The amendment which I propose to you to change the length of Kansas Legislators terms, has been sitting on my desk for about a year and a half. After having the proposal drafted, I have presented the concept to hundreds of voters across the district that I represent. Upon hearing the idea, voters have expressed to me very little negative concern over the proposal. Rather, I have had much positive input from voters about changing legislators' terms.

One of the topics over which voters have expressed concern, involves the short length of time between state office elections and the political games played during an election year. Therefore, I have, along with a number of our colleagues, introduced this House Concurrent Resolution to amend our state constitution with regard to legislators' terms of state elected office.

HCR 5020 changes the time representatives serve from the current two-year term to a four-year term. It changes senators terms from the current four to six years. The resolution has a provision to elect approximately 1/2 of the House members every two years and approximately 1/3 of the Senate members every two years - therefore reducing the inability of the legislative bodies to "get things done". As you well know, this climate is often caused by members' concern with election games and distorted votes, which keep legislative bodies from completing tasks. Under this arrangement, 1/2 of the House would not be up for election as well as 2/3 of the Senate in any election year. There would never be a sweeping election of all members of both Houses in an

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election year.

The staggering of terms would begin with the elections in the year 2000. The bill also requires the reorganization and election of leadership of both houses every two years and sets the amount of time that can be served in either the Kansas House or Senate at twelve years. That is, three 4-year representative terms and two 6-year senator terms. It expands the members of the Senate from 40 to 41 to avoid tie votes.

I believe this amendment to the Kansas Constitution, if passed, will make a more efficient and trustworthy citizen legislature. It is difficult, at best, to run a campaign for office every other year and give sufficient time to the vast amount of information and issues before the state legislature. I believe it will cut in half the amount of dollars needed to finance a legislative campaign by having legislators run every four years instead of every two years, as well as making an impact, over time, on the total dollars needed to finance a Senate campaign. That provision alone addresses the ethics concern of "how much" and "who finances" state legislative campaigns. I strongly believe that this change in our state constitution would win back some of the trust that citizens have lost in their state government.

I would remind you, that because this is a constitutional amendment, it will require a 2/3 majority vote in both chambers and an election of the people, on the ballot of the state-wide election in the fall of 1998.

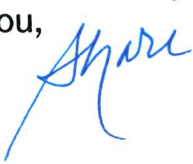
This year, as in years past, there are many proposals aimed at ethics for legislators. Proposals are directed at campaign finance, disclosure of donations, gifts from lobbyists, and last, but not least legislative pay.

This committee knows well the concerns of voters with regard to this issue and the difficulty that we as a legislative body have in addressing our conduct in campaign finance and ethics. In closing, I'd like to leave you with just one vein of common sense consideration. **I believe that this amendment will do more to address the campaign finance issue than any other proposal you have laid before you, by cutting in half the amount of money needed to finance a state legislator's campaign.** In addition, by staggering the terms of legislators, our legislative bodies will be more productive in completing the business of the people EVERY legislative session, rather than the election year non-productive behavior we display under our current term system.

Again, I thank you for your time and consideration to this House

Concurrent Resolution. I advocate for your favorable consideration of all the components of this piece of legislation. I would be pleased to answer any questions.

Thank you,



House Concurrent Resolution 5020

- * Extend the terms for State Representatives from two to four years and for State Senators from four to six years
- * Limit terms of legislators to three 4-year terms for Representatives and two 6-year terms for Senators
- * Stagger the terms of House and Senate members by electing one-half of the House and one-third of the Senate every two years
- * Start staggered terms for Representatives in 2000 by electing even numbered districts for 2-year terms and odd numbered districts to 4-year terms
- * Start staggered terms for Senators in 2000 by electing one-third of the Senators to 2-year terms, one-third to 4-year terms and one-third to 6 year terms
- * Provide for the election of Leadership in both Chambers every two years
- * Expand the Senate from 40 to 41 members in 2002
- * If passes both chambers with a two-thirds majority vote, will require an election of the people on the ballot of the state-wide election in 1998

DIXIE E. TOELKES
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March 17, 1997

Thank you Mr. Chairman, and Members of the Committee for allowing me to speak to you today.

House Bill #2507 is in response to a request from Tecumseh Township and Bethel Cemetery Association to allow the Township to assume all responsibility for the cemetery either as the owner or to manage it as a trustee.

There is a statute, K.S.A. 1995 Supp. 80-915; 80-9041 stating this cannot be done without special legislation.

Both parties are desiring this change. It will pertain only to this specific situation; the statute will remain the same as it is now for all other situations.

Thank you for your consideration of this bill.

Dixie Toelkes
Representative

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Testimony of Bruce L. Myers
On Behalf of the Bethel Cemetery Association
March 17, 1997

House Bill No. 2507

I am Bruce L. Myers, of Topeka, Kansas, and I am a Board Member of the Bethel Cemetery Association, where I serve as Treasurer. It is a privilege to be here today to speak in support of this legislation.

For years, active members of the Board handled the administrative details of Bethel Cemetery, including the spotting of grave sites. Mr. Dayton Decker faithfully fulfilled these duties for a great number of years, but upon his death, no one was ready or able to assume those responsibilities. Therefore, we approached the Tecumseh Township requesting that they take over these responsibilities.

I am the youngest Board member and travel extensively. I am personally unable to assume full responsibility and know from discussions with the other Board members that they are also unavailable. We feel we have no alternative but to place the responsibility elsewhere.

Your favorable consideration of this bill is very much appreciated. Thank you.

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HOUSE BILL 2507
Testimony to Committee on Federal and State Affairs
March 17, 1997

1. K.S.A. 80-915, as it currently is written, prohibits a township from assuming responsibility for a cemetery when it already has and maintains a public cemetery.

2. Tecumseh Township currently is the record title holder of two abandoned cemeteries, obtained through a quiet title suit, one of which is full.

3. Bethel Cemetery Association wants to give the cemetery to the Township pursuant to either K.S.A. 12-1419b or 80-915, but that conveyance is currently prohibited.

4. The Township is willing to accept the cemetery for the following reasons:

a) Maintaining and managing a public cemetery is one of the legitimate and statutory functions of a township government.

b) Bethel Cemetery Association is unable to maintain and manage the cemetery which lies within the Township boundaries.

c) Tecumseh Township is the largest township in the State and in a metropolitan area and it is reasonable for it to maintain and manage more than one cemetery.

d) Tecumseh Township has the expertise and administration ability to maintain and manage more than one cemetery without adding additional employees.

e) There is no other entity available to assume responsibility for the cemetery.

5. Amendment of the existing statute is necessary for the Township to assume responsibility for the cemetery.

6. A similar exception was made for Attica Township in Sedgwick County under K.S.A. 80-941 by the Legislature in 1992.

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