

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Janice Hardenburger at 1:40 p.m. on March 25, 1997 in Room 529-S of the Capitol.

All members were present.

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Bonnie Fritts, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Chairperson Hardenburger requested action on **HB 2064**.

**HB 2064**                      **Concerning state governmental ethics; relating to reports filed by lobbyists**

This bill was requested by the Kansas Commission on Governmental Standards and Conduct, and passed the House of Representatives on a vote of 123-0. It would require lobbyists to maintain detailed accounts, records, and documents related to expenditures for a period of five years and are subject to audit by the Commission. It broadens the power of the Commission.

Senator Petty moved to pass the bill out favorably. Senator Huelskamp seconded the motion. The motion carried.

Action on **HB 2101**.

**HB 2101**                      **Concerning certain state officers and employees; relating to the acceptance or solicitation of gifts, loans and other gratuities**

This bill was initiated by an executive order by the Governor. It would not apply to the legislature or to the judicial branches of state government.

There was discussion on a amendment to the bill which was submitted at a previous meeting (Attachment 1).

Senator Huelskamp moved to adopt the expanded amendment to the bill. Senator Steineger seconded the motion. The motion failed.

Committee members discussed an individual lobbying without compensation. The bill states, " Nothing in this section shall prohibit a state officer or employee from lobbying without compensation other than that which such officer or employee is entitled to receive for performance of such officer's or employee's official duties."

Senator Huelskamp made a motion to insert the words "within Kansas" after the word "lobbyist" in Sec. 2(b) of the amendment to the bill. Senator Steineger seconded the motion. The motion failed.

Senator Petty moved to pass the bill as amended. Senator Praeger seconded the motion. The motion passed.

Action on **SB 339**.

**SB 339**                      **Concerning election campaign finance; prohibiting contributions in elections for the office of insurance commissioner from certain entities; and prescribing penalties for the violation thereof**

Chairperson Hardenburger submitted an amendment to the bill for committee review and discussion (Attachment 2). The amendment bans solicitation of contributions, but not acceptance of contributions. It also expands the definition of "Regulated Entity", and strikes the words "or accept" from line 35.

Senator Becker made a motion to change the effective date for the bill to its publication in the Kansas Register rather than the statute book. Senator Lawrence seconded the motion. Discussion. The motion and the second to the motion were withdrawn.

Senator Gooch stated that if the committee passes this bill as currently written, there would be no way of policing it. The bill is too broad.

Committee discussed removing "or any member" from the amendment.

Senator Lawrence made a motion to table the bill. Senator Becker seconded the motion. The motion passed.

The meeting was adjourned at 2:30 p.m.

There are no other meetings scheduled.

**SENATE ELECTIONS AND LOCAL GOVERNMENT  
COMMITTEE COMMITTEE GUEST LIST**

**DATE:** 3/25/97

NAME	REPRESENTING
Doug Farmer	DOB
Vonda DeCourcey	KS Insurance Dept
Pat Morris	KAIA
T. J. Laton	Senator Henley
Anne Spiess	Petersa Public Affairs Group

PROPOSED AMENDMENTS TO HOUSE BILL NO. 2101  
(AS AMENDED BY HOUSE COMMITTEE OF THE WHOLE)

On page 1, in line 14, before "Section" by inserting "New";

On page 2, in line 5, by striking "and"; following line 5, by inserting:

"(3) meals provided to a person subject to this act when it is obvious such meals are not being provided because of the person's official position; and";

Also on page 2, in line 6, by striking "(3)" and inserting "(4)"; following line 43, by inserting:

"Sec. 2. K.S.A. 46-232 is hereby amended to read as follows:  
46-232. (a) No state officer or employee shall engage in lobbying his such officer's or employee's own state agency, if he such officer or employee accepts compensation specifically attributable to such lobbying, other than that provided for the performance of his such officer's or employee's official duties. Nothing in this section shall prohibit a state officer or employee from lobbying without compensation other than that which he such officer or employee is entitled to receive for performance of his such officer's or employee's official duties.

(b) From and after January 1, 1998, no individual shall engage in lobbying or be employed as a lobbyist within one year following the date of resignation from or the expiration of a term of any state office to which the individual was appointed by the governor.

Sec. 3. K.S.A. 46-232 is hereby repealed.";

By renumbering section 2 as section 4;

In the title, in line 10, by striking "the"; in line 11, by striking all before the period and inserting "governmental ethics; amending K.S.A. 46-232 and repealing the existing section";

SENATE ELECTIONS +  
LOCAL GOVERNMENT  
3-25-97  
ATTACHMENT 1

# SENATE BILL No. 339

By Senators Hensley, Barone, Biggs, Downey, Feleciano, Gilstrap,  
Goodwin, Jones, Karr, Petty and Steineger

2-14

solicitation of campaign

10 AN ACT concerning election campaign finance; prohibiting contributions  
11 in elections for the office of insurance commissioner from certain en-  
12 tities; and prescribing penalties for the violation thereof.  
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. (a) (1) Except as otherwise provided in this subsection,  
16 the definitions set forth in K.S.A. 25-4143, and amendments thereto, shall  
17 be applicable to the provisions in this section.

18 (2) As used in this section: (A) "Regulated entity" means any person  
19 who is required by law to be licensed by the insurance commissioner, or  
20 any person who engages in a business or profession which is regulated by  
21 the insurance commissioner, or any person employed by a company reg-  
22 ulated by the insurance commissioner; and

23 (B) "contracting entity" means any person who contracts with the  
24 department of insurance to provide legal services for the department in  
25 cases in which the workers compensation fund is involved.

26 (b) No regulated entity or contracting entity and no person or political  
27 committee acting on behalf of a regulated entity or contracting entity shall  
28 make a contribution to or on behalf of a person holding the office of  
29 insurance commissioner, to or on behalf of a candidate for the office of  
30 insurance commissioner or, to or on behalf of a candidate committee of  
31 any such candidate.

32 (c) No person holding the office of insurance commissioner and no  
33 candidate for the office of insurance commissioner and no candidate com-  
34 mittee of a candidate for the office of insurance commissioner shall know-  
35 ingly solicit ~~or accept~~ a contribution from any regulated entity or con-  
36 tracting entity or any person or political committee acting on behalf of a  
37 regulated entity or contracting entity.

38 (d) Any person or entity violating the provisions of this act shall be  
39 punished in the manner and be subject to the penalties prescribed by  
40 K.S.A. 25-4181, and amendments thereto.

41 Sec. 2. This act shall take effect and be in force from and after its  
42 publication in the statute book.

*, or any attorney who has or is currently representing  
any party in any dispute regarding insurance coverage  
for one or more parties to the dispute; ~~or any member,  
employee or officer of an association that sponsors  
pools; or any member, employee or officer of an  
association that owns an insurance company; or any  
member, employee, or officer of a health care provider  
group; or any member, employee, or officer of a union  
or association which is regulated through pooling  
statutes or insurance company laws and regulations;  
or any corporation carrying on the business of a bank,  
trust, surety, indemnity, safe deposit, or insurance  
company; or any trustee or trustees owning or holding  
the majority of the stock of such corporation; or any  
employees or officers of such corporation; or any  
registered lobbyist who represents any party in issues  
involving the insurance department; or any state  
employees employed by the insurance department; or  
any member of a board under the jurisdiction of the  
insurance commissioner.~~*

SENATE ELECTIONS &  
LOCAL GOVERNMENT  
3-25-97  
ATTACHMENT 2