

Approved: 2-3-99  
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on January 28, 1999 in Room 529-S of the Capitol.

All members were present except: Senator Lawrence

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Ken Wilke, Revisor of Statutes  
Graceanna Wood, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

Chairman Hardenburger advised the Committee that Senator Bond had asked that an amendment to **SB-68** be considered to allow legislators and the governor to solicit funds between January 1 and sine die to offset the expense of holding meetings sponsored by national, non-profit, non-partisan organizations whose purpose is educating and strengthening state legislatures and executive branches. (Attachment #1)

The Committee discussed whether it would be a national non-profit organization related to legislative type meetings.

Senator Becker moved that the amendment to SB-68 be approved favorably, seconded by Senator Praeger. Motion carried..

Senator Praeger moved that SB-68 be moved out favorably as amended, seconded by Senator Becker. Motion carried.

Chairman Hardenburger opened continued discussion on **SB-62 concerning authorizing closed or executive sessions** to discuss security measures of building or facilities.

The Committee discussed if utility functions are to be included in this bill.

Staff informed the Committee that it would be better to have the language parallel in the Open Meeting Act with language in the Open Records Act.

The Committee also questioned the wording of the language and the grammatical wording of the amendment to the bill status.

The Committee discussed what information could be discussed in a closed meeting which would have to be voted on in an open meeting.

Senator Vidricksen moved that SB-62 be moved out favorably as written, seconded by Senator Gooch. Motion carried.

Meeting was adjourned at 2:30 p.m. Next meeting scheduled for February 2, 1999.



# SENATE BILL No. 68

By Committee on Elections and Local Government

1-19

9 AN ACT concerning state governmental ethics; amending K.S.A. 1998  
10 Supp. 46-236 and repealing the existing section.

11  
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 1998 Supp. 46-236 is hereby amended to read as  
14 follows: 46-236. No state officer or employee, candidate for state office  
15 or state officer elect shall solicit any economic opportunity, gift, loan,  
16 gratuity, special discount, favor, hospitality, or service from any person  
17 known to have a special interest, under circumstances where such officer,  
18 employee, candidate or state officer elect knows or should know that a  
19 major purpose of the donor in granting the same could be to influence  
20 the performance of the official duties or prospective official duties of such  
21 officer, employee, candidate or state officer elect.

22 Except when a particular course of official action is to be followed as  
23 a condition thereon, this section shall not apply to: (1) Any contribution  
24 reported in compliance with the campaign finance act; (2) a commercially  
25 reasonable loan or other commercial transaction in the ordinary course  
26 of business; ~~for~~ (3) any solicitation for the benefit of any charitable organ-  
27 ization which is required to file a registration statement with the secretary  
28 of state pursuant to K.S.A. ~~17-1740~~ 17-1761, and amendments thereto,  
29 or which is exempted from filing such statement pursuant to K.S.A. ~~17-~~  
30 ~~1741~~ 17-1762, and amendments thereto, or for the benefit of any edu-  
31 cational institution or such institution's endowment association, if such  
32 association has qualified as a nonprofit organization under paragraph (3)  
33 of subsection (c) of section 501 of the internal revenue code of 1986, as  
34 amended.

35 Sec. 2. K.S.A. 1998 Supp. 46-236 is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its  
37 publication in the statute book.

; (4) any solicitation for the benefit of any national nonprofit, nonpartisan organization established for the purpose of serving, informing, educating and strengthening state legislatures in all states of the nation; or (5) any solicitation for the benefit of any national, nonprofit organization established for the purpose of serving, informing and educating elected executive branch officials in all states of the nation

Senate Elections & Local Government  
Attachment: # 1-1  
Date: 1-28-99