

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE.

The meeting was called to order by Chairperson Representative Tony Powell at 3:30 p.m. on March 6, 2002 in Room 521-S of the Capitol.

All members were present except: Representative Melany Barnes, Excused  
Representative R.J. Wilson, Excused

Committee staff present: Ken Wilke, Revisor  
Mike Heim, Research  
Shirley Weideman, Secretary

Conferees appearing before the committee: None.

Others attending: See attached list.

Chairman Powell informed the committee that there were no conferees to testify on **HB 2836**, so he will reschedule a hearing on this bill at a later date. He said that it is an important piece of legislation regulating the accessibility of records of private entities that do business with the government. Kansas has a lot of private entities totally dependant on government money for their business. He asked that the revisor, Ken Wilke, brief the committee and guests on the purpose of the bill.

Ken Wilke, revisor, told the committee that the bill will provide access to records of entities that contract with the state to provide services or goods. Section 1, subsection (a) allows a state agency to look at an applicant to make sure that the bidder is qualified to carry out the business by inspecting the applicant's business and financial records to ensure that the bidder is genuine and can carry out the service. Section 2 amends the open records act and extends the definition of public agency to include the contractor that is providing property or goods to the state of Kansas or to a state agency as defined by K.S.A. 75-3701. Subsection (2) would define public agency to exclude any entity solely by reason of payment from public funds, other than public funds paid by the state of Kansas or any state agency as defined by K.S.A. 75-3701. The bill basically provides a means of assuring that bidders on state contracts are legitimate and allows the public to look at these contracts. Mr. Wilke answered a question asked by Representative Hermes regarding the state being able to obtain any business and financial records. He said that the Division of Purchases attaches a form to all state contracts which allows Legislative Post Audit to have access and follow the trail of any contract documents or anything else supporting the contract and is triggered solely by Legislative Post Audit under an authorized auditor and not subject to open records.

Chair Powell will reschedule **HB 2836** at another committee meeting.

Without objection, the minutes of the Ethics and Elections Committee for February 20 and 25 will be approved as received.

The meeting was adjourned at 3:45 p.m. The next scheduled meeting is March 11 at 3:30 p.m.

