

MINUTES OF THE HOUSE RULES AND JOURNAL COMMITTEE

The meeting was called to order by Chairman Thomas C. (Tim) Owens at 12:15 p.m. on Monday, March 8, 2004 in room 527-S of the Capital.

All members were present.

Committee Staff Present:

Norman Furse, Revisor
Janet Jones, Chief Clerk of the House
Claudia Cruse, Secretary III

Conferees appearing before the Committee:

Representative John Edmonds
Representative Bob Bethell

The Chairman opened the meeting by asking for bill introductions.

HB 2915 - Voting procedures for nomination and selection of republican party leaders by members-elect of the house of representatives at preorganizational meeting.

Representative John Edmonds presented testimony in support of **HB 2915**. (Attachment 1)

HB 2915 would provide accountability to our constituents by providing a permanent record of our votes in leadership contests. The presence of such a record would undoubtedly lead to a higher standard of integrity between members.

Representative Bob Bethell presented testimony in support of **HB 2915**. (Attachment 2)

We, as members of this body can be proud of, and able to defend, our vote and the support we give to those who will lead us and by voting in the openness of full disclosure.

The meeting was adjourned at 1:20 p.m. The next scheduled meeting is March 9, 2004.

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JOHN T. EDMONDS
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CHAIRMAN, TAXATION COMMITTEE

Testimony before the
House Rules Committee
in support of
House Bill 2915
March 8, 2004

Chairman Owens, colleagues, thank you for the opportunity to appear before you in support of House Bill 2915, a bill which would require that votes taken for the election of leadership by the House Republican Caucus be recorded public votes. If enacted, HB 2915 would bring accountability and integrity to a process that has too long been shrouded with secrecy.

The votes that are cast in the biannual leadership races, particularly the vote for Speaker, are arguably the most important votes that any member will make during a two year term. Under the current dispensation, these most important votes are cloaked in secrecy and the membership is completely unaccountable to the constituents who elected us. Yet we record and report every vote on final action, no matter how trivial the issue, as well as many committee votes. Which is more important to our constituents, our recorded vote on a state fish bill, or our unrecorded vote for the leadership which will run the House for two years?

House Bill 2915 would provide accountability to our constituents by providing a permanent record of our votes in leadership contests. Further, the presence of such a record would undoubtedly lead to a higher standard of integrity between members as well.

As I have visited with various colleagues concerning this bill, I have encountered several concerns which I believe I should discuss with you. These include:

When I vote for President or Governor, I cast a secret ballot. Shouldn't my vote for leadership also be secret?

When a member votes in a general or primary election he or she is representing only himself/herself. When that same member casts a vote for leadership he/she is representing more than 20,000 constituents who deserve to know what action is being taken on their behalf.

House Rules and Journal Committee
Meeting Date: 3/8/04
Attachment #: 1

Won't a recorded vote lead to members being rewarded or punished for their votes?

Members are rewarded and punished for their perceived votes under the current system. A recorded vote would not change this reality, but would provide an accurate basis for such consequences.

Why are we amending the statutes? Wouldn't a rules change make more sense?

The current caucus cannot make rules to bind the next caucus. Therefore, the only time that a rules change could be implemented would be immediately before the leadership elections occur. This would require that the leadership campaigns be conducted without a clear understanding of the applicable rules. It seems fairer to all concerned if the election rules are known and constant from the beginning and not subject to becoming a political football at the last moment.

Wouldn't it be simpler to just have the candidates compare lists? Duplicates would be immediately obvious.

Although a comparison of candidates' lists of commitments would no doubt be an interesting exercise, such a comparison fails to provide the public accountability of a recorded vote. The principal reason to record the vote is to provide accountability to our constituents.

Why does HB 2915 only apply to House Republicans? What about the Democrats? What about the Senate?

When crafting this bill I deliberately chose to limit its application to the caucus of which I am a member. Should the House Democratic Caucus wish to be included, I would have no objection, but I do not feel that it is my place, as a Republican, to require it. Likewise, if the Senate wished to be included, I would have no objection.

Mr. Chairman, it is my firm belief that House Bill 2915 would materially increase accountability of the members to their constituents as well as encourage a higher degree of integrity between members. I would hope that this committee would see fit to recommend the bill for passage.

House Rules and Journal Committee
Meeting Date: <u>3/8/04</u>
Attachment #: <u>1 - 2</u>

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Testimony on HB 2915
By
Representative Bob Bethell
March 8, 2004

Chairman Owens and members of the Rules Committee, I am Bob Bethell and appear before you today in support of HB 2915.

I have been an outspoken advocate for honesty, truth and integrity in process of governing. That position has led to my concern over some of the laws that have been passed during my tenure in the House that have attempted to make dishonest persons into honest persons. If in reality the voters of this state are interested in honest persons representing them then honest persons should be elected.

I have in my opinion observed an alarming condition that exists in our system and process. We are continually interested in "openness" in our meetings, we pass laws that require other arms of the government to abide in openness we subject ourselves to open votes so that our constituents will be informed of our position with one exception.

The exception that I speak of and to was made apparent to me the very first year of my service in the House of Representatives. As a freshman I was courted by many individuals for positions that I believe I was unqualified to effectively evaluate the necessary qualities of the individual to be selected. However, many questions were asked and I did arrive at a decision. Then came the opportunity for me to change my mind and vote. I assure you this is an American right. The disturbing situation was when the reality of the candidate who received my support not being elected and the actions of that person in contradicting the assurance that had been given to me that they would "play well with others" if not elected.

As stated this was the beginning. Since then I have noticed that when a person is requesting support for a leadership position support is given and then when the actual vote is taken, lust for position, fame or power causes some, in a mode of deception, to deny their previous commitment. This is of course "human nature" and is the low road that is truly beneath those who have been elected to serve the people of Kansas. Our yes should be yes and our no, no.

House Rules and Journal Committee
Meeting Date: <u>3/8/04</u>
Attachment #: <u>2</u>

It is for the above reasons that I am in support of making the last and only "secret" vote cast by members of the Kansas House of Representatives an open vote. We, as members of this body be proud of, and able to defend, our vote and the support we give to those who will lead us and by voting in the openness of full disclosure.

I ask that you favorably act on HB 2915 and place this opportunity before the House. Mr. Chairman I will stand for questions.

House Rules and Journal Committee
Meeting Date: <u>3/8/04</u>
Attachment #: <u>2-2</u>