

SESSION OF 2009

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 297**

As Amended by Senate Committee of the Whole

**Brief\***

SB 297 relates to various reports required by the State Governmental Ethics Law.

Substantial Interest Statements

Part of the bill addresses substantial interest statements and other, similar statements filed by certain faculty members and Judicial Branch individuals. The bill would delete the requirement that any faculty member employed by a state institution governed by the Kansas Board of Regents (KBOR) and receiving an annual salary of \$50,000 or more, other than an adjunct faculty member, file a statement of substantial interests with the Kansas Governmental Ethics Commission (KGEC). The bill instead would create a new statute requiring these faculty members to file annually a written statement of substantial interests with their employing state institutions.

The new statement would have to contain, at a minimum, the information required by the statement of substantial interests which is filed with the KGEC, and it would have to be an open public record. Any conflict of interests information required by the KBOR or the employing educational institution that is in addition to this could be placed in the faculty member's personnel records file and could be considered a closed record.

With respect to judicial branch individuals, the bill would require the following persons to file with the Supreme Court the judicial financial disclosure report developed by the Supreme Court:

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Court of Appeals judges;
- Supreme Court justices;
- Members of the Commission on Judicial Qualifications; and
- Members of any Supreme Court Nominating Commission.

### Lobbyist Reporting

The bill also would make a change in the statute requiring lobbyists to file employment and expenditure reports. Added would be a requirement that the lobbyist include the date upon which food or beverage is provided when the lobbyist is required to report the provision of food or beverage.

### **Background**

Senator John Vratil and the Executive Director of the KGEC testified in favor of the bill, indicating the faculty the bill addresses must file two similar forms currently – one to the KGEC and one to their employing state institution. The added work for the KGEC, including the “failure to file” notices that have resulted, have created a significant increase in the agency’s workload.

Staff testified that the statutory language being deleted resulted from information that the similar form filed with the employing institution has been treated as a confidential document not subject to disclosure under the Kansas Open Records Act.

The Senate Committee on Ethics and Elections amended the bill to add the new statute requiring a publicly open statement of substantial interests be filed with the employing institution.

The Senate Committee of the Whole added the following:

- The Judicial Branch reporting requirement; and
- The requirement of lobbyists to report the date upon which food or beverage was provided.

According to the fiscal note on the original bill, passage of the bill would result in a FY 2010 savings of \$7,000, due to reduced KGEC expenditures.