

We do have a tax bill before the Committee but we have also been presented with testimony about ethical conduct. I have been in communication with House leadership, I've been in communication with Senate leadership. There are several options that this Committee could take. In fact, I did go to the Speaker and ask him, when I was going to take this on, to allow us to have some additional legal members placed on the Committee, representing both parties. It was discussed that possibly we do that but it was then determined that the Tax Committee should deal with the issue first.

I think that we have questions of past issues. We have questions regarding a windfall profit and we have some ethics questions facing this Committee. And there are several options that we can pursue in order to resolve the questions that are before us. We can't resolve these questions unless you take time to look at all the testimony – unless you take time to talk to your constituents. And we have to investigate all our options. There's one option of having the Speaker appoint an investigative committee that would be made up primarily of attorneys. I believe we can turn this over to the disciplinary administrator who is appointed by the Supreme Court, to oversee fee issues and attorney ethics. We could pass a windfall profit tax bill. We could do nothing.

What I want to do as a committee is try to align consensus among the Committee members. Sometimes it's been said that the Kansas Legislature is three parties. We have the Democrat party, we have conservative Republicans and we have moderate Republicans. I know that this problem exists in a lot of legislatures. What I have to try to do is process what came before us this week. I want to arrive at a consensus that involves all of us on this Committee. And in order to do that, we're going to have to do a lot of communicating between each other. We're going to have to have a lot of sharing to allow this consensus. And that's hard to do in a political environment – that's very hard to do. But, I think it's possible and I believe that the members of this Committee can do that. So what I want to do is just lay the issues on the table, find out what our options are and maybe meet in small groups about it and share our thoughts and our perceptions and just determine where we want to go from here. We will then take up the issues when we know what our options are and when we've reached a consensus.

I really think it's important that we arrive at a consensus and the only way we can do that is by talking with each other and sharing our concerns. I'm going to see that the transcripts are given to each member where you can go back through it. Then maybe we can set up meetings in my office or in any office and try to arrive at a consensus.

Another thing I want to do is lay before you some comments from Mike O'Neal. I share an office with Mike O'Neal and I've been going to him since these issues came out. When I was in leadership of the House, the issue came up of weights and measures and there was a question before the House as to whether or not our Senator, Sam Brownback, when he was Secretary of Agriculture, was allowing mis-measurement of gas. I'm sure some of you who were elected at the time remember this. When these controversies come up – they're political – they're controversial. What we did was appoint a special investigative committee that Representative O'Neal chaired. This was a solution a few years ago when we were faced with a similar problem. Representative O'Neal has gone over the transcript of the tobacco litigation issue and he wanted you to have his thoughts on them.

I don't want to arrive at a political decision with this Committee. I think we have to drop politics. And what we have to do is decide what is best for the people of Kansas. And we can only do that through a lot of communication and a lot of work. It's going to take a lot of work and it's going to take a lot of striving to hear everybody's side to this. We're going to have to open our ears and close our mouths and we're just going to have to share our thoughts. So I just hope we can arrive at a consensus within a couple of weeks. You may explore possibilities – I will explore some possibilities. I will go talk to the disciplinary administrator for the Committee. – anybody is welcome to go with me – to see what the parameters are that he has for dealing with ethical fee situations like this.

If that's okay I'd just like to close comments on this issue and allow us to talk privately as a committee and pursue justice for the people of Kansas”.

A copy of Representative O'Neal's letter was handed out to the Committee. ([Attachment 1](#)).

Representative Johnston spoke of his feelings regarding the events of the previous four days, saying

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he wanted to thank the Chair for holding the hearings.

Representative Minor said he thought the Chair had been extremely fair with the Committee by keeping them informed of everything. He said he appreciated the way the Chair had handled the issues and he was certainly willing to work with her in order to come to a solution to this problem.

Additional information on the tobacco litigation provided by the Hutton and Hutton Law Firm was handed out to the Committee. (Attachment 2).

The Chair announced that **HB 2588** would be delayed until Representative Aurand completed an amendment to the bill

HB 2620 - Property tax evaluation appeals procedure.

Representative Findley spoke to the Committee in regard to **HB 2620**.

A motion to amend line 25 on page 2 of **HB 2620** by striking the phrase “the findings of fact and law” and insert a written explanation of the reason was made by Representative Findley. The motion was seconded by Representative Sharp and passed by a voice vote.

It was moved by Representative Wilt and seconded by Representative Gilbert to adopt **HB 2620** as amended. The motion carried on a voice vote.

HB 2621 - Notification of mortgage contract obligation satisfaction to county treasurers.

Representative Findley spoke to the Committee in regard to **HB 2621**.

Copies of the balloon amendment to **HB 2621** were handed out. (Attachment 3).

Representative Kirk made a motion to adopt a balloon amendment to **HB 2621**. The motion was seconded by Representative Findley and failed on a voice vote.

It was moved by Representative Findley and seconded by Representative Wilk to pass **HB 2621** favorably out of Committee. The motion carried on a voice vote.

The meeting was adjourned at 9:45 a.m. The next meeting is scheduled for Monday, February 21, 2000.