

STATE OF KANSAS

ASSISTANT MINORITY LEADER

1101 OHIO
LAWRENCE, KS 66044
(785) 842-6402

DURING SESSION
STATE CAPITOL — 134-E
TOPEKA, KANSAS 66612
(785) 296-7364
HOT LINE 1-800-432-3924
FAX 785 368 6365

marci.francisco@senate.ks.gov



TOPEKA

MARCI FRANCISCO
SENATOR, 2ND DISTRICT

COMMITTEE ASSIGNMENTS

RANKING MINORITY MEMBER

AGRICULTURE

NATURAL RESOURCES

UTILITIES

MEMBER

WAYS & MEANS

JOINT COMMITTEE MEMBER

INFORMATION TECHNOLOGY

STATE BUILDING CONSTRUCTION

Testimony in support of Senate Bill 360
To The Senate Judicial Committee
February 2, 2016

Chairman King, Vice-chair Smith, Ranking member Haley and Judiciary Committee Members:

Thank you for taking the time to hold a hearing on Senate Bill 360. I believe the law we have in Kansas regarding open meetings is an important part of connecting our citizens to the governmental process in which they take part.

The purpose of Senate Bill 360 is to make the process more understandable for the elected officials who have need to keep some discussions confidential; my hope is that they can make use of the opportunity while keeping interested citizens and the press informed.

K.S.A. 75-4219 that addresses closed or executive meetings calls for a statement of the justification for closing a meeting, the subjects to be discussed, and the time and place at which the open meeting shall resume. "Justification" and "subjects" are undefined. Section (b) then provides a list of what seem to be *justifications* for closing meetings but calls them subjects. The result is a fair amount of confusion.

Senate Bill 360 proposes replacing the list of allowable "subjects" with a list of justifications; essentially the same topics but stated in a way that explains the temporary need for confidentiality. This also allows the opportunity to identify a particular subject and not have the identity of the subject the same as the justification for allowing closure of a meeting.

Eight statutes are referred to in the current bill without any information regarding what those statutes address. SB 360 would make mention of topics for six of those, so instead of saying just "pursuant to K.S.A. 74-8804 and amendments thereto" it adds "matters related to parimutuel racing". The bill also updates the reference relating to maternity centers and child care facilities from K.S.A. 65-525(f) to K.S.A. 65-525(d), and eliminates the references to K.S.A. 44-596(e), closed or executive meetings of the Workers Compensation Advisory Council, and K.S.A. 2015 Supp. 46-3801, the Joint Committee on Parole Board Oversight, since they are no longer in statute. These changes should make the statute much more readable.

I recognize that this topic will affect a number of people. I appreciate your consideration, and hope that you will use this opportunity to consider these changes to the Open Meetings Act to make the process more understandable and workable for all.

marci francisco
Marci Francisco

SENATE JUDICIARY COMMITTEE

DATE: 2/2/16

ATTACHMENT 10