

From: [Jerry](#)
To: [Dana Rooney](#)
Subject: HB 2391
Date: Wednesday, February 15, 2023 8:52:17 AM

Attn: Dana Rooney

I currently serve as the Vice Chair for the Kansas Governmental Ethics Commission.

I wish to present the following comments to the House Elections Committee.

Thank you for facilitating the transfer of these comments to the Committee.

As a Commission, we annually recommend legislation.

It is our hope that we can have an open conversation of same for the benefit of the citizens of Kansas.

Specific concerns are as follows:

Significant restriction on the power of subpoena. It will be difficult to review any complaint especially one with complex issues if the Commission cannot gather necessary information to assist in the finding of or no finding of probable cause.

Shifting the responsibility of hearings to a third entity will in effect eliminate the need for a Commission to review any complaint or provide an appropriate platform for the parties to be heard.

Not sure but have concerns about the relationship of PACS and campaign contributions. There is some reference to third party entities that seem to allow a circumvention of accountability.

I have no specific problem with statute of limitations. They are necessary for the protection of all. That being said, we should be careful not to foreclose a cause of action when the complexity of the matter may prevent discovery within the Statute of Limitations. Clarification of the commencement of the Statue of Limitations would be helpful.

What is the rationale for the limitation of no more than 5 members of one political party. It has been my experience that if you attended a Commission meeting you would find it difficult to identify party affiliation.

As civil penalties are a component of the fund, moving same to the State General Fund

would be a significant financial restraint.

As we all know, the legislature determines the budget. In all agency settings, control of the agency is the budget.

It seems self serving to allow continued solicitation of funds during the session.

Time is limited, however I would ask for the Committee and our Director to have the opportunity to further discuss the contents of this proposed legislation. The Commission receives updates at their regularly scheduled meetings and the collective information of both sides would be beneficial in the drafting of this legislation.

Thank you for your consideration of these comments.

Sincerely

Jerome P. Hellmer
Vice Chair