

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Barbara Allen at 1:30 p.m. on January 20, 2004 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Legislative Research
Martha Dorsey, Legislative Research
Ken Wilke, Revisor of Statutes
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee:

Carol Williams, Ethics Commission
Carlos Mayans, Mayor of Wichita

Others attending:

See Attached List.

Chairperson Allen welcomed the committee for the 2004 Session. The Chair introduced Senator Donald Betts, Wichita, Ranking Minority Member to the committee. Chairperson Allen introduced the returning staff, and new staff person, Martha Dorsey, from Legislative Research.

Bill Introductions

Chairperson Allen called for bill introductions. Senator Schmidt had a constituent request for needed legislation; landlords held financially accountable for a tenants bill regarding water and sewer service. Senator Schmidt moved to introduce this legislation, seconded by Senator Buhler. The motion carried.

Chairperson Allen informed the committee it would have an informational meeting on the recent issue of "Cole v. Mayans". Ken Wilke, Revisor, handed out a memorandum on subject: "Cole v. Mayans and Kenton, Kansas Supreme Court Case No. 89,715 (December 15, 2003) (Attachment 1). Included in the memorandum were a copy of the supreme court case, two opinions from Ethics Commission (2003-05 and 2000-20) copies of KSA25-4143 and 25-4157a, Ethics Regulations (KAR 19-22-1).

Carol Williams, recognized by the Chair, summarized the Ethics Commission's opinions and told the committee the Commission was having language drafted to present to the legislature when it was ready and reviewed. Carol stated the Commission had given nine opinions since 1976 and consistently held for twenty-eight years (Attachment 2).

Mayor Carlos Mayans was present to address the committee. Mayor Mayans stated he had followed the rules and received opinions. If the Ethics Commission's opinions can not be counted on, we have no other place to turn. He had followed all the channels and is now being penalized for spending legislative money when told it was okay.

Chairperson Allen informed the committee it would be meeting Thursday. It would be reviewing the present state of the Help America Vote issue. The committee will be hearing from the Secretary of State and possibly someone from the Governor's office.

The meeting adjourned at 2:25 p.m.