

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 9:30 a.m. on January 28, 2009, in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Ken Wilke, Office of the Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Carolyn Long, Committee Assistant

Conferees appearing before the committee:

Anthony Hensley, Kansas Senator
Pat Apple, Kansas Senator
Mick Urban, Manager, Governmental Affairs, Kansas Gas Services
Ron Gaches, Atmos Energy

Others attending:

See attached list.

Bill Introduction

Chairman Vicki Schmidt requested introduction of a bill that would incorporate a constitutional amendment to Section 2, Article #5 denying those with a mental illness the right to vote. She requested removal of the mental illness restriction at the request of NAMH (National Association of Mental Health). Senator Apple moved, Senator Wysong seconded. Motion carried.

The Chairman opened the hearing on **SB 2–Governmental ethics; placing two years restriction on certain state officers, employees and appointees before becoming lobbyist.**

Senator Anthony Hensley spoke in favor of this bill indicating the State of Kansas currently has in place a restriction on individuals who either retire or leave the employee of the State being unable to work for a contractor of the State but nothing about becoming a lobbyist. Senator Hensley indicated that he had introduced a form of this bill approximately half a dozen times and felt that it was time to close what he felt was a revolving door and that this had been a persuasive issue for many years. The Chair requested Senator Hensley submit his testimony in written form to the committee.

There being no further conferees the hearing on **SB 2** was closed.

The Chairman opened the hearing on **SB 38–Hospital districts; formation, Linn county.**

Senator Apple appeared in support stating that this bill would allow two townships to create a hospital district in Linn County. This requires 10% of the registered voters to sign a petition to put this item on the ballot. If passed it gives the newly created district the right to levy a tax not to exceed two mills (Attachment 1).

Representative Shirley Palmer rose in support of **SB 38** representing Linn County and is in favor of continued responsible health care, especially for senior citizens.

There being no further conferees the hearing on **SB 38** was closed.

The Chairman opened the hearing on **SB 80–Certain cities; sale of utility systems; elections**

After a brief explanation of the current bill by staff, Mick Urban, Kansas Gas Service, spoke in favor of the bill adding they would like the wording of the current law to change. In its present form it requires a majority vote of the qualified electors of the city before a sale can be made. The revision would change the vote requirement to a majority of those voting (Attachment 2).

Ron Gaches, representing Atmos Energy, testified in favor of the bill stating that in most elections the general

CONTINUATION SHEET

Minutes of the Senate Ethics And Elections Committee at 9:30 a.m. on January 28, 2009, in Room 446-N of the Capitol.

public is accustomed to outcomes being determined by those who vote, not on a percentage of all registered voters and that smaller communities are in favor of this bill (Attachment 3).

Written testimony in support of **SB 80** was submitted by:

Wes Ashton, Government Affairs, Black Hills Energy (Attachment 4)

There being no questions from the committee the Chair thanked both gentlemen for appearing.

The meeting adjourned at 10:04 a.m. The next meeting is scheduled for January 29, 2009.