## MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on March 21, 2000, in Room 245-N of the Capitol.

All members were present:

Committee staff present:        Dennis Hodgins, Legislative Research Department
Mike Heim, Legislative Research Department
Ken Wilke, Revisor of Statutes
Graceanna Wood, Committee Secretary

Conferees appearing before the committee:     None

Others attending:        See attached list

Chairman Hardenburger said that she had members of the Committee come to her and inform her that they did not think she took an accurate count of the vote yesterday, which she judged by voice vote.  She asked for show of hands on the substitute  motion made yesterday by Senator Becker.

The motion was defeated.

Chairman Hardenburger informed the Committee that the substitute  motion had been defeated; therefore, the Committee returned to Senator Gooch's motion made on March 20 to amend the bill to ban all registered  lobbyists expenditures for hospitality, food and entertainment.

Senator Steineger told the Committee that he would oppose the amendment, because he feels **HB 2627** will not pass with the amendment; however, he does support disclosure.  He stated that **HB 2627** is a good place to start, and opined that Senator Gooch's motion would weigh the bill down so heavily, it would not get enough votes in the Senate to pass.

Senator Gooch said he would stand on his motion.

Chairman Hardenburger again informed the Committee that the motion before the Committee would totally ban all registered lobbyists contributions for hospitality, food and entertainment.  You could attend, but you could not partake unless you paid.

Senator Becker wanted to be sure the records showed the exact amount consumed by each individual legislator.  Chairman Hardenburger said that the registered lobbyists do report to their employer how much they spend and who they spend it on.

Senator Huelskamp said that he had seconded the motion and that he was in favor of the ban and was for disclosure.

With the show of hands, five (5) voted for and three (3) against, motion carried.

Chairman Hardenburger advised the Committee that the next part of **HB 2627** was about contracting.

Mr. Leo Vogel, Department of Administration, Division of  Purchasing, summarized the balloon presented to the Committee.  He said that the provisions of subsection (b) shall not apply to any contract for professional or consultant services that is not anticipated to exceed $25,000 in any fiscal year.  He also said that the agency head shall make a report to the Director of Purchases at least once in each calendar quarter of each contract for professional or consultant services that exceeds $5,000 and is entered into without competitive negotiations.

Mr. Vogel informed the Committee that in the smaller areas, if the contract is over $25,000, it will be necessary for the Purchasing Department to seek competitive bids for contracts.

Senator Praeger asked how the change would affect a managed care plan contract.

Senator Huelskamp moved to amend on Page 15, Lines 12 through 16 of **HB 2627,** which would restore language concerning federal funds, seconded by Senator Becker.  Motion carried.

Senator Huelskamp moved that Sections (10) and (11) as proposed by the House, which would exempt Internet web sites from the definition of lobbying remain in **HB 2627**, seconded by Senator Gooch.  Motion failed (3) for (5) against.

Senator Lawrence moved that the ethics part of **HB 2627** be restored to the language that was first introduced in the House with an amendment to exclude standing and joint committee and legislative delegation of Congressional Districts from the lobbyist disclosure requirements, seconded by Senator Steineger.

Dan Hermes, Governmental Affairs of the Governor's office explained to the Committee that there were technical amendments that were made in the House Committee, and a $100 limit on entertainment for a year.
Chairman Hardenburger asked Senator Lawrence if her motion was for the language that came out of the House Committee.  Senator Lawrence said it was.

Mr. Hermes said the standing committees of the legislature would not be exempt in the House version. The House version exempted the full House and Senate, it did not exempt standing committees or congressional delegations.  Also, it included an executive branch, all the elected officials, Attorney General, and all other unclassified employees that are not currently covered by the executive branch from accepting anything of value.  Senator Steineger asked if it included legislators, and Mr. Hermes said no, it was just for the executive branch.

Senator Lawrence said her motion would include entertainment and food and beverages for the executive branch, and would exempt the Congressional District and the standing and joint committees, seconded by Senator Steineger

The Committee discussed trying to get a bill passed that would be signed by the Governor.

Senator Huelskamp said he would support the bill as amended favorably, if it included the total ban and the contracting provisions.

Chairman Hardenburger said that the motion as it stands right now, the Committee has banned everything and then Senator Lawrence made a substitute motion.  Senator Huelskamp said she had made a motion that the bill be passed out as the Governor introduced with amendments, and he made a substitute bill to report the bill out favorably as amended which would ban everything and include the contracting provision.

Motion failed (4) for and (4) against with the Chairman casting the deciding vote against the motion.

Chairman Hardenburger informed the Committee that it was back on the motion from Senator Lawrence.

Motion carried. (6) for (1) against and Senator Becker passed.

Meeting was adjourned at 2:30 p.m.