

MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on February 7, 2006 in Room 519-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Legislative Research Department
Martha Dorsey, Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Rep. Barbara Craft
Rodney Barnes, Junction City
Kathy Porter, Office of Judicial Administration
Doug Anstett, Kansas Press Association
Harriet Lange, Kansas Association of Broadcasters
Kevin O'Connor, Office of the District Attorney, Sedgwick County

Others attending:

See attached list.

Chairman Vickrey opened the hearing on:

HB 2759 **Bonded debt limitation; Junction City**

Rep. Barbara Craft testified in support of the bill (Attachment 1). She explained that current law prohibits the bonded indebtedness of cities from exceeding 30.0 percent of the assessed valuation of the city. She said the new language in the bill would allow the city of Junction City to have a 40.0 percent limit for a period of five years, until June 30, 2011.

Rodney Barnes, City Manager, Junction City, testified in support of the bill (Attachment 2). He explained that there is an expansion underway at Fort Riley and that their city is experiencing a rapid growth in population. He said it is expected that 30,000 people will be added to the city's population over the next few years. Mr. Barnes said that in order to address housing needs, an additional 9,000 housing units in the area are to be built over the next three years. He stated that the City is issuing debt to develop streets, sidewalks, storm sewers, water lines, and sewer lines.

Chairman Vickrey closed the hearing on **HB 2759**.

HB 2759 **Bonded debt limitation; Junction City**

Rep. Harold Lane made a motion for the favorable passage of **HB 2759** and asked that it be placed on the Consent Calendar. Rep. Jim Yonally seconded the motion. Motion Carried.

HB 2742 **Affidavits and sworn testimony in support of probable cause for the issuance of a warrant are open court records following execution of warrant, certain exclusions**

Kathy Porter, Office of Judicial Administration, presented a fiscal briefing relating to the bill (Attachment 3). She informed the Committee that the enactment of **HB 2742** would create a significant workload increase for judges and clerks because in all felony cases that included affidavits or sworn testimony, the material would need to be reviewed and a redacted copy produced.

Doug Anstett, Kansas Press Association, testified in support of the bill (Attachment 4). He explains that the bill opens probable cause affidavits to public inspection.

Harriet Lange, Kansas Association of Broadcasters, testified in support of the bill (Attachment 5). She said

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that the safeguards in the bill are sufficient to ensure that investigations or prosecutions will not be compromised.

Written testimony in support of the bill was submitted by Sherry Chisenhall, *The Wichita Eagle* (Attachment 6). Richard Gannon presented Ms. Chisenhall's testimony.

Written testimony in support of the bill was submitted by Randy Brown, Kansas Sunshine Coalition for Open Government (Attachment 7).

Kevin O'Connor, Office of the District Attorney, Sedgwick County, testified in opposition to the bill (Attachment 8). He explained that the release of probable cause affidavits, particularly in high profile cases, directly impacts the constitutional rights of the accused.

Following discussion, Chairman Vickrey appointed a subcommittee to review proposed amendments to the language of the bill. Subcommittee Chair is Rep. Steve Huebert. Members of the subcommittee are: Rep. Tom Sawyer, Rep. Mario Goico, Rep. Melody Miller, and Rep. Jim Yonally. Chairman Vickrey suggested that interested parties be invited to participate in the subcommittee meeting(s).

Chairman Vickrey closed the hearing on **HB 2742**.

Approval of Minutes

Rep. Tom Sawyer made a motion to approve the minutes of the February 2, 2006 meeting. Rep. Harold Lane seconded the motion. Motion Carried.

Chairman Vickrey adjourned the meeting.

The next meeting is scheduled for Thursday, February 9, 2006.