

STATE OF KANSAS

1101 OHIO  
LAWRENCE, KS 66044  
(785) 842-6402  
**DURING SESSION**  
STATE CAPITOL - ROOM 134-E  
TOPEKA, KANSAS 66612  
(785) 296-7364



**MARCI FRANCISCO**  
SENATOR, 2ND DISTRICT

RANKING MINORITY MEMBER  
AGRICULTURE & NATURAL  
RESOURCES  
MEMBER  
ASSESSMENT AND TAXATION  
UTILITIES  
JOINT COMMITTEE MEMBER  
INFORMATION TECHNOLOGY

marci.francisco@senate.ks.gov

STATE BUILDING CONSTRUCTION

Testimony in support of Senate Bill 70  
To The Senate Federal and State Affairs Committee  
February 2, 2017

Chairman LaTurner, Vice-chair Estes, Ranking member Faust-Goudeau and other members of the Federal and State Affairs Committee:

Thank you for taking this time to hold a hearing on Senate Bill 70. I believe the law we have in Kansas regarding open meetings is an important part of connecting our citizens to the governmental process in which they take part.

Senate Bill 70 was introduced to make the process more understandable for the elected officials who have need to keep some discussions confidential; my hope is that they can make use of the opportunity while at the same time keep interested citizens and the press informed.

K.S.A. 75-4319 addresses closed or executive meetings and calls for a statement of the justification for closing a meeting, the subjects to be discussed, and the time and place at which the open meeting shall resume. "Justification" and "subjects" are undefined. Section (b) then provides a list of what seem to be *justifications* for closing meetings but calls them subjects. The result is a fair amount of confusion.

Senate Bill 70 proposes replacing the list of allowable "subjects" with a list of justifications; essentially the same topics but stated in a way that explains the temporary need for confidentiality. This also opens the opportunity to identify a particular subject and not have the identity of the subject be the same as the justification for allowing closure of a meeting.

Eight statutes are referred to in the current bill without any information regarding what those statutes address. SB 70 would add a description for six of the statutes; instead of just saying "pursuant to K.S.A. 22a-243(j) and amendments thereto" it adds "matters relating to district coroners". The bill also updates the reference relating to maternity centers and child care facilities from K.S.A. 65-525(f) to K.S.A. 65-525(d), and eliminates the references to K.S.A. 44-596(e), closed or executive meetings of the Workers Compensation Advisory Council, and K.S.A. 2015 Supp. 46-3801, the Joint Committee on Parole Board Oversight, since they are no longer in statute. These changes should make the statute much more readable.

Our citizens demand and deserve the benefits of open government. I appreciate your consideration, and hope that you will use this opportunity to consider these changes to the Open Meetings Act to make the process more understandable and workable for all.

Marci Francisco