

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2095

By Committee on Elections

1-24

1 AN ACT concerning the governmental ethics commission; amending
2 K.S.A. 2012 Supp. 25-4119a and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2012 Supp. 25-4119a is hereby amended to read as
6 follows: 25-4119a. (a) There is hereby created the Kansas commission on
7 governmental standards and conduct.

8 (b) On July 1, 1998, the Kansas commission on governmental
9 standards and conduct is hereby redesignated as the governmental ethics
10 commission. On and after July 1, 1998, whenever the Kansas commission
11 on governmental standards and conduct, or words of like effect, is referred
12 to or designated by a statute, contract or other document, such reference or
13 designation shall be deemed to apply to the governmental ethics
14 commission. Nothing in this act shall be construed as abolishing and
15 reestablishing the Kansas commission on governmental standards and
16 conduct. The commission shall consist of nine members of whom two
17 shall be appointed by the governor, one by the president of the senate, one
18 by the speaker of the house of representatives, one by the minority leader
19 of the house of representatives, one by the minority leader of the senate,
20 one by the chief justice of the supreme court, one by the attorney general
21 and one by the secretary of state. Nothing in this act shall be construed as
22 affecting the terms of members serving on July 1, 1998. Not more than
23 five members of the commission shall be members of the same political
24 party and the two members appointed by the governor shall not be
25 members of the same political party.

26 (c) The terms of all subsequently appointed members shall be two
27 years commencing on February 1 of the appropriate years. Vacancies
28 occurring on the commission shall be filled for the unexpired term by the
29 same appointing officer as made the original appointment. Members shall
30 serve until their successors are appointed and qualified. *No member shall*
31 *serve more than ~~four~~ eight years. Any member who has served more than*
32 *~~four~~ eight years, upon the effective date of this act, shall serve the*
33 *remainder of such member's term, but shall not be eligible for*
34 *reappointment.* The governor shall designate one of the members
35 appointed by the governor to be the chairperson of the commission. A
36 majority vote of five members of the commission shall be required for any

1 action of the commission. The commission may adopt rules to govern its
2 proceedings and may provide for such officers other than the chairperson
3 as it may determine. The commission shall meet at least once each quarter,
4 and also shall meet on call of its chairperson or any four members of the
5 commission. Members of the commission attending meetings of such
6 commission, or attending a subcommittee meeting thereof authorized by
7 such commission, shall be paid compensation, subsistence allowances,
8 mileage and other expenses as provided in subsections (a) to (d), inclusive,
9 of K.S.A. 75-3223, and amendments thereto. The commission shall
10 appoint an executive director who shall be in the unclassified service and
11 receive compensation fixed by the commission, in accordance with
12 appropriation acts of the legislature, subject to approval by the governor.
13 The commission may employ such other staff and attorneys as it
14 determines, within amounts appropriated to the commission, all of whom
15 shall be in the unclassified service and shall receive compensation fixed by
16 the commission and not subject to approval by the governor.

17 (d) The commission may adopt rules and regulations for the
18 administration of the campaign finance act. Subject to K.S.A. 25-4178,
19 and amendments thereto, rules and regulations adopted by the commission
20 created prior to this act shall continue in force and effect and shall be
21 deemed to be the rules and regulations of the commission created by this
22 section of this enactment, until revised, amended, repealed or nullified
23 pursuant to law. All rules and regulations of the commission shall be
24 subject to the provisions of article 4 of chapter 77 of Kansas Statutes
25 Annotated, *and amendments thereto*. The commission shall continue to
26 administer all of the acts administered by the commission to which it is
27 successor.

28 (e) The commission may provide copies of opinions, informational
29 materials compiled and published by the commission and public records
30 filed in the office of the commission to persons requesting the same and
31 may adopt rules and regulations fixing reasonable fees therefor. All fees
32 collected by the commission under the provisions of this subsection shall
33 be remitted to the state treasurer in accordance with the provisions of
34 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
35 remittance, the state treasurer shall deposit the entire amount in the state
36 treasury to the credit of the governmental ethics commission fee fund.

37 (f) The commission shall submit an annual report and
38 recommendations in relation to all acts administered by the commission to
39 the governor and to the legislative coordinating council on or before
40 December 1 of each year. The legislative coordinating council shall
41 transmit such report and recommendations to the legislature.

42 (g) Whenever the Kansas commission on governmental standards and
43 conduct, or words of like effect, is referred to or designated by a statute,

1 contract or other document, such reference or designation shall be deemed
2 to apply to the governmental ethics commission.

3 Sec. 2. K.S.A. 2012 Supp. 25-4119a is hereby repealed.

4 Sec. 3. This act shall take effect and be in force from and after its
5 publication in the statute book.