

LOBBYISTS IGNORE OPEN MEETINGS VIOLATIONS

PATRICK HENRY ONCE SAID THAT LIBERTY IS NEVER SECURE AS LONG AS GOVERNMENT DOES BUSINESS IN SECRET.

(The Liberty Sentinel, May 9, 2007) During the 2007 legislative session, bills were introduced requiring elected officials to obtain training in open meeting law. Both S.B. 194 and H.B. 2493 called for the attorney general to establish course content and to approve acceptable training offered by a public body or other entity.

The Kansas Press Association, Kansas Association of Broadcasters, and Kansas Association of School Boards endorsed the training concept, as did the Kansas Attorney General's Office and others interested in good government. The bill's proponents based their support on the premise that elected officials would comply with open government laws if they understood them.

Several local government lobbyists argued against the legislation. Their committee testimony referred to the training bill as "a solution looking for a problem."

The government lobbyists ignored a long list of open meeting abuses while remaining insistent Kansas Open Meetings Act violations rarely occur.

The following accounts are recent additions to the burgeoning list of KOMA issues.

BROWN COUNTY

The Brown County Sheriff's department is investigating the Morrill city council for violations of the state's open meetings law. Two city council members of the northeast Kansas community have resigned their positions and the city clerk is keeping notes out of concern she might get caught in the crossfire and lose her job.

Councilman Greg Duryea stated about his resignation, " My reasons for resigning are because of the actions by the mayor and a council member which are contrary to the standards that public elected officials should be held. I do not wish to be a member of a governing body that allows abuse of citizens through their elected positions."

A Morrill resident is threatening a lawsuit and the city attorney has advised the mayor and remaining council members to restrict what they say in open meetings.

BOURBON COUNTY

The Bourbon County Attorney's office is investigating an allegation that Fort Scott city officials violated the Kansas Open Meetings Act. The complaint alleges that commissioners and city staff members stayed in city hall after a commission meeting had adjourned for over an hour with the doors locked.

A commission member stated that it was a social gathering and didn't qualify under KOMA.

The complainant responded, "The public shouldn't have to speculate. A transparent government would mean there should be no question. The door was locked, leaving them in there for over an hour that the public couldn't see what they were talking about."

This is the second time a KOMA complaint has been filed with the county attorney. Last May, the county attorney found that the commission had violated KOMA, and ordered the city attorney to conduct a refresher course on the meetings law with commissioners and city staff.

Unfortunately, events do occur in Kansas that our Founding Fathers would deem unacceptable. So, from time to time, you will be receiving "The Liberty Sentinel," an article about open government that may be of interest to you. If you have questions regarding the following information, please contact the contributing newspaper or Kansas Press Association at rgannon@kspress.com.