

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairperson Mitch Holmes at 9:30am on Thursday, February 04, 2016, 142-S of the Capitol.

All members were present

Committee staff present:

Mike Heim, Office of Revisor of Statutes
Jill Shelley, Legislative Research Department
Martha Dorsey, Legislative Research Department
Darla Conner, Kansas Legislative Committee Assistant
Chuck Reimer, Office of Revisor of Statutes

Conferees appearing before the Committee:

Chris Kobach, Kansas Secretary of State
Eric Sartorius, Executive Director of The League of Kansas Municipalities
Nathan Eberline, Kansas Association of Counties Legal Counsel
Mark Tallman, Associate Executive Director of Advocacy, Kansas Association of School Boards

Others in attendance:

[See Attached List](#)

Possible bill introductions

Senator Pat Petty introduced a bill concerning voter registration. Without objection, the bill was introduced.

Hearing on: SB368 — Prohibition against using public funds or resources to promote question submitted election issues; use of bond proceeds.

Chairman Holmes opened the hearing on **SB368**. The chairman queried the committee if they would like an explanation of the bill by staff. No one requested an explanation.

Proponents:

Chris Kobach, Kansas Secretary of State, testified in support of **SB368**. ([Attachment 1](#)) Secretary Kobach stated his office receives complaints from taxpayers concerning the use of taxpayer funds to provide 'educational' pieces that are designed to influence an election. His office also receives reports and complaints about money raised by bond elections that is used for other purposes rather than for the purposes expressly approved by the voters. He believes this bill clarifies the intent of the law. Questions from the committee were addressed by Secretary Kobach.

Roger Woods, Americans for Prosperity, submitted written testimony in support of **SB368**. ([Attachment](#)

CONTINUATION SHEET

MINUTES of the Committee on Ethics and Elections at 9:30am on Thursday, February 04, 2016 in Room 142-S of the Capitol.

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Opponents:

Eric Sartorius, Executive Director of The League of Kansas Municipalities, testified in opposition to **SB368**. ([Attachment 3](#)) Mr. Sartorius opposes **SB368** based on concerns that the bill would significantly reduce the ability of cities to inform their residents of the reasons behind a question being placed on the ballot and that legislation is being considered that swings far in the opposite direction of transparency.

Nathan Eberline, Kansas Association of Counties Legal Counsel, testified in opposition to **SB368**. ([Attachment 4](#)) Mr Eberline believes this legislative measure restricts the use of bond proceeds and prohibits municipal communications on ballot measures.

Mark Tallman, Associate Executive Director for Advocacy for Kansas Association of School Boards, testified in opposition to **SB368**. ([Attachment 5](#)) Mr. Tallman opposes this bill because it would prohibit local governments from providing information - not campaign advocacy- about important ballot questions affecting the public.

Those persons appearing before the committee in opposition to **SB368** stood for questions. Discussion followed.

Written testimony in opposition to **SB368** was submitted by:

Carol Barta, Assistant Director of the North Central Kansas Libraries System ([Attachment 6](#))

City of Lenexa, Members of the Lenexa Governing Body ([Attachment 7](#))

Kiel Mangus, Manhattan Assistant City Manager ([Attachment 8](#))

Bill Ebel, Overland Park City Manager ([Attachment 9](#))

Katie Killen, Shawnee Assistant City Manager ([Attachment 10](#))

Sharon Wolters, President of Kansas County Clerks & Election Officials Association ([Attachment 11](#))

Sherrie L Riebel, Clerk of Allen County ([Attachment 12](#))

Ed Eilert, Chairman, Johnson Count Board of County Commissioners ([Attachment 13](#))

Clancy Holeman, Riley County Counselor ([Attachment 14](#))

James Howell, Chairman, Sedgwick County Board of County Commissioners ([Attachment 15](#))

Chairman Holmes closed the hearing on **SB368**.

The next meeting is scheduled for February 10, 2016. The meeting was adjourned at 10:30.