

Approved

R.H. March 15, 1983
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Richard L. Harper at
Chairperson

9:00 a.m. a.m./p.m. on March 3, 1983 in room 521-S of the Capitol.

All members were present except: Representative Helgerson, excused;
Representative Knopp, excused

Committee staff present: Myrta Anderson, Legislative Research Department
Ramon Powers, Legislative Research Department
Arden Ensley, Revisor of Statute's Office
Eric Rucker, Secretary of State's Office
Dottie Musselman, Committee Secretary

Conferees appearing before the committee:

Jon Josserand, Secretary of State's Office
Jim Maag, Kansas Bankers Association
Jana Atchison, Public Disclosure Commission

Chairperson Harper called the Elections Committee meeting to order. The Chairperson announced here that he would change the schedule around today so that Representative Cloud could appear before the Committee to explain his proposed amendments to HB 2384.

At this time Representative Cloud took the Committee through the proposed changes step by step. (Attachment 1)

It was moved by Representative Fox that the Committee amend HB 2384 as per the balloon. Seconded by Representative Justice. Motion carried.

HB 2487 was next on the agenda. HB 2487, An Act relating to elections; concerning ballots in city and school elections; prohibiting the name of a person from appearing upon the ballot for more than one office, was explained to the Election Committee by Jon Josserand, Secretary of State's office. After a briefing of the background and intent of this bill, some general discussion was held.

There being no further questions on HB 2487, the hearing was closed on this bill.

The next order of business on the agenda was HB 2488, An Act relating to lobbying; concerning reports of lobbyists.

Jim Maag, Kansas Bankers Association, was recognized by Chairperson Harper at this time. Mr. Maag made it known to the Committee that he was not appearing as representing his Association, and that he was just appearing as a member of the lobbying group. Mr. Maag said that most of the lobbying group that he knew, would not object to a monthly filing. This was the suggested change in section 1 of this bill.

Chairperson Harper called on Jana Atchison, Public Disclosure Commission, to testify at this time. After the testimony, a brief general discussion followed.

As there were no other questions, and no one else wishing to appear before the Committee on HB 2488, the meeting was adjourned at 9:30 a.m.

(attachment 1)

HOUSE BILL No. 2384

By Representative Cloud

2-9

0017 AN ACT providing for the submission of petitions for nonbind-
0018 ing advisory referendum on matters of local and statewide
0019 public interest.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. It is hereby declared to be in the public interest to
0022 provide procedures for the petition by electors of cities, counties
0023 and the state to petition for a nonbinding advisory referendum on
0024 matters of public interest for the purpose of reflecting a con-
0025 sensus of public opinion upon propositions that should be
0026 brought to the attention of the public and their officials.

0027 Sec. 2. All petitions for the submission of propositions for
0028 nonbinding referendum shall, in the case of cities and counties,
0029 be filed in the office of the county election officer and in the case
0030 of the state by electors of the state, shall be filed in the office of
0031 the secretary of state. Each petition shall be accompanied by a
0032 statement containing the names of three sponsors who shall
0033 represent all subscribers to the petition in matters relating thereto
0034 ~~and list all sponsors authorized to circulate petitions for such~~

0035 ~~proposition.~~ Such petitions shall contain the signatures and ad-
0036 dresses of registered electors equal in number to not less than 7%
0037 of the registered electors of the city, county or state in which the
0038 proposition is to be submitted. Before any petition is signed by
0039 any subscriber, the proposition to be submitted shall be filed
0040 with the city attorney in the case of a city election, the county or
0041 district attorney in the case of the county and the attorney general
0042 in the case of a statewide referendum. Such petition shall be in
0043 substantial compliance with the requirements of K.S.A. 25-3602
0044 and the proposition to be submitted shall not exceed 50 words.

10%

The subject matter of propositions submitted pursuant to this act shall involve only matters which under the constitutions of the state of Kansas and the United States are subject to the jurisdiction of an agency of a city, county, the state or the United States government.

0045 All such petitions filed with the city, county or district attorney — or attorney general

Atch. 1

0046 shall be examined as to form and compliance with K.S.A. 25-3602
 0047 and the opinion of the attorney thereon shall be returned within
 0048 10 days of the date upon which such petition was submitted. All
 0049 petitions for submission of propositions for nonbinding referen-
 0050 dum shall be filed in the office of the county election commis-
 0051 sioner or secretary of state not later than ~~90 days preceding the~~
 0052 ~~date of the election at which the proposition will be submitted.~~
 0053 Upon determination that any petition is sufficient the county
 0054 election officer or secretary of state shall cause the proposition to
 0055 be placed upon the ballot in the next general election held in
 0056 November of the even-numbered year. All ballots shall be can-
 0057 vassed in the manner prescribed by law for the canvass and
 0058 counting of ballots for officers elected at such general election.
 0059 Sec. 3. This act shall take effect and be in force from and after
 0060 its publication in the statute book.

such

the date prescribed for the filing of nomination
 petitions and declarations of candidacy by K.S.A.
 25-205, and amendments thereto

Not more than two propositions shall be submitted
 by any city, two by any county and two by the
 state at the time of any one election. If more
 than two petitions are filed, the propositions
 submitted with the first two valid petitions to
 be filed shall be submitted at the ensuing election.
 The county election officer or the secretary of state
 may provide for the printing of paper ballots for the
 purpose of submitting propositions to election
 pursuant to this act.



Legislative Testimony

Kansas Association of Commerce and Industry

500 First National Tower, One Townsite Plaza

Topeka, Kansas 66603

A/C 913 357-6321

KANSAS ASSOCIATION OF COMMERCE AND INDUSTRY

Testimony Before the
HOUSE ELECTIONS COMMITTEE

HB 2384

February 24, 1983

Mr. Chairman and Members of the Committee;

My name is Jim Edwards, Director of Public Affairs for the Kansas Association of Commerce and Industry, and I am writing to you on HB 2384.

The Kansas Association of Commerce and Industry (KACI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KACI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KACI's members having less than 25 employees, and 86% having less than 100 employees.

The KACI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

If HB 2384 is interpreted as a means by which consensus on city, county, or state issues can be gained, we have no position on the bill. However, if the bill is interpreted as a means by which consensus on city, county, or state issues can be gained to force legislation, we would have to assume a position in accordance with our policy statement and oppose the bill.

We maintain that our present form of representative government is best, and that enacting laws by any other process would be a mistake.

After listening to the testimony provided at the hearing, I realized that the bill was being interpreted as a means by which persons could mandate legislation by legislators, or other government officials. The voters of Kansas would be able to approve, or disapprove, an issue which sounds favorable or unfavorable. Unfortunately, you know that what sounds good on the surface, and with just 50 words it has to be surface only, is not necessarily good for the state.

I thank you for the opportunity to provide this written testimony.



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