

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by Senator Gordon at \_\_\_\_\_  
Chairperson

1:30 ~~xxx~~ p.m. on January 30, 1985 in room 522-S of the Capitol.

All members were present except: Senator Hoferer and Senator Vidricksen who were excused.

Committee staff present: Theresa Kiernan, Revisor of Statutes Office  
Myrta Anderson, Legislative Research  
Ramon Powers, Legislative Research  
Phil Lowe, Secretary to Committee

Conferees appearing before the committee:

Eric Rucker, Secretary of State's Office  
Carol Williams, Public Disclosure Commission  
Jim Edwards, Kansas Chamber of Commerce and Industry

The chairman welcomed the committee members and introduced the staff at its first meeting of this session. He stated the meeting was called for the purpose of hearing from the Secretary of State's office, the Kansas Chamber of Commerce and Industry and the Kansas Public Disclosure Commission in regard to legislation they are requesting to be introduced.

Eric Rucker in his statement to the committee said the Secretary of State would like eight legislative proposals enacted of which four are to be presented to the Senate Elections Committee and four to be presented to the House Elections Committee. Mr. Rucker's statement is Attachment #1 and explains the reasons for the request of these proposals.

Senator Johnston moved and Senator Reilly seconded the motion that the four proposals as presented by the Secretary of State's office be drafted into bill form so the committee can study the proposals further and conduct hearings. Motion carried.

Jim Edwards representing the Kansas Chamber of Commerce and Industry supported a proposal dealing with prohibiting campaign contributions from "regulated" industries to candidates for local or state elected offices. Attachment #2 is a statement of the bill request as outlined by Mr. Edwards.

Senator Reilly moved and Senator Strict seconded the motion to have a bill drafted as requested by the Kansas Chamber of Commerce and Industry. Motion carried.

Carol Williams from the Kansas Public Disclosure Commission appeared before the committee for the purpose of making recommendations for the committee to consider. The Commission requested legislation requiring campaign finance reports to be filed with the Secretary of State and locally. The second request was for legislation that the candidate be required to sign each campaign finance report as a testimony that to the best of their knowledge the report being filed is true and correct. The commission also recommended that K.S.A. 25-1709 pertaining to contributions by corporations and certain stockholders that portions of the statute be brought within the purview of the Campaign Finance Act. It was brought to the attention of the committee members that this might be the same legislation that the KCCI requested

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS,  
room 522\_S, Statehouse, at 1:30 ~~am~~/p.m. on January 30, 1985

be amended and it was suggested that the Revisor of Statutes be instructed to combine these proposals if possible. Attachment #3 covers the requested recommendations as outlined by the representative of the Public Disclosure Commission.

Senator Johnson moved and Senator Reilly seconded the motion that the recommendations of the Commission be drafted into bill form for consideration by the committee. Motion carried.

The meeting was adjourned.

Attachments:

- Att. #1. Legislative Proposals for 1985 by the Secretary of State's Office
- Att. #2. Bill Request by the KCCI
- Att. #3. Recommendations by Kansas Public Disclosure Commission
- Att. #4. Guest List



Election

1985 Legislative Proposals

*no introduction regarding paper ballots*

*Senate*

*House*

*Senate*

*House*

*Senate*

*House*

*Senate later*

*House*

1. Voting machine instructions for write-ins stickers (rule & reg)  
This regulation should be effected by the city and school primary
2. Declaration of write-in candidacy *exclude township*
3. Appearing twice on the same ballot - prohibition *2 county clerks*
4. Presidential Ballot, former resident *30 days, 20 days*
5. Exit Polling
6. Poll workers, increased compensation
7. Exempt board worker salary from Social Security reporting - Possibility of a House Resolution to the U.S. Congress
8. Initiative and Referendum *lots of opposition!*
9. Presidential Preference Primary *high threshold requirement of signatures limited members only*

PROPOSALS SUBMITTED BY OTHERS WE WILL BE INTERESTED IN MONITORING

1. Advisory Elections by Cities *Exit Polling will also effect Senator Winter (League municipalities) Council?*
2. Recall *League (Criteria should be clarified)*
3. Uniform Residence and Elector Requirements for Elected Officials *90 days*
4. Local Campaign Finance Act: *-limited but (county clerks)*
5. Minor Adjustment to Judicial Election Process

*movements with district changes - watch for*

*bill would not pass with judges file a financial statement*

*different filing deadline*

*Leavenworth prohibited too many one county cities left out*

*Hamilton Co-*

BILL REQUEST

Purpose of Bill - To repeal KSA 25-1710 and KSA 1984 Supp. 25-1709.

KSA 1984 Supp. 25-1709 deals with the prohibition of campaign contributions from "regulated" industries to candidates for local or state elected offices. KSA 25-1710 provides the penalties for the violation of KSA 1984 Supp. 25-1709.

Reason for Request - Every corporation listed in KSA 1984 Supp. 25-1709 can be said to have some form of competition in the open market. This has come about because of deregulation and new technology. Realizing that this has taken place, it is reasonable to assume that these corporations should be granted some of the same opportunities as other corporations. One of these opportunities would be to make campaign contributions to candidates for local or state office.

While the question would be raised about campaign contributions from gas, electric, telephone, or water suppliers, it should be recognized that the Kansas Corporation Commissioner has a policy of allowing no contributions for campaigns to be included in the rate base as allowable expenses. It is generally safe to assume that no change in this established procedure will take place.

In researching this issue, I have found no opposition. If anything, it will make the reporting of campaign contributions easier to track.

*Attachment # 2*  
*S. Elect. 1/30/85*

PART II: RECOMMENDATIONS

The Commission is directed by statute to make recommendations to the Governor and Legislature. It recognizes that any major piece of legislation periodically needs "fine tuning". To that end, the Commission makes the following recommendations:

1. Require Campaign Finance Reports to be filed with Secretary of State and locally. Presently, all campaign finance reports are filed with the Secretary of State. It has been suggested that this effectively defeats the public disclosure goals of the Act in legislative and other races of less-than-statewide interest. It is argued that the statehouse press corps is simply too small to digest the large amount of material filed and that local citizen and media representatives cannot get the information without coming to Topeka. As a result, the disclosure goals of the Act are seriously impaired. We recommend that candidates in less than statewide races be required to file in Topeka and with the election officer in their home counties. Local election officials should be authorized to dispose of the reports after a reasonable period of time.
2. Candidate signing of campaign finance reports. Currently, only the treasurer is required to sign each campaign finance report verifying its accuracy. It has come to the Commission's attention that on several occasions treasurers, upon a candidate's request, have turned certain matters over to the candidate for follow-up or disposition, and later learned that the candidate never followed through. Thus, while the treasurer's signature verifies that the report is true and correct, what is reported has not in effect happened since the candidate has not followed through. The Commission believes that the candidate should be required to sign each campaign finance report as a testimony that to the best of his/her knowledge the report being filed is true and correct. More importantly, it has come to the Commission's attention that on numerous occasions candidates will take actions concerning the signing of checks or the receipt of contributions and not inform the treasurer of these actions. Thus the treasurer's verification is still correct insofar as the treasurers knowledge is concerned, but the report is inaccurate. Dual signing by the treasurer and the candidate of each campaign finance report would help assure a more accurate report.

The Commission recommends that those portions of the following two statutes pertaining to state elections, currently outside its jurisdiction, be brought within the purview of the Campaign Finance Act.

K.S.A. 25-1709. Contributions by corporations and certain stockholders. Presently, this statute falls under the jurisdiction of the Attorney General's office. This statute relates to the

Some of the  
request

Attachment # 3  
S. Elect. 1/30/85

prohibition of certain corporations and stockholders from contributing to either aid or oppose candidates and/or political parties. The Commission is deluged with inquiries regarding the interpretation and ramifications of this statute. Although campaign finance related, the Commission cannot address the inquiries made of this statute since it falls outside its jurisdiction.

The Commission recommends that those portions of the statute which pertain to state candidates and political parties be brought within the purview of the Campaign Finance Act.

K.S.A. 25-2407. Corrupt political advertising. Presently, this statute falls under the jurisdiction of the Attorney General's office. This statute defines what types of advertising must disclose a "paid for" disclaimer, as well as what must be said in the disclaimer. Again, since the statute is campaign finance related, the Commission receives many inquiries regarding interpretation of the statute.

The Commission recommends that those portions of the statute which affect state candidate and committee advertising be brought within the purview of the Campaign Finance Act.