

MINUTES OF THE House COMMITTEE ON Elections

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

9:00 am a.m./p.m. on Tuesday, February 11, 1986 in room 521-S of the Capitol.

All members were present except: Rep. Blumenthal, excused; Rep. Helgerson, excused; Rep. Holmes, excused; Rep. Johnson, excused; Rep. Knopp, excused; and Rep. Runnels, excused.

Committee staff present:

Myrta Anderson, Legislative Research Department
Mary Hack, Revisor of Statutes' Office
Nancy Spillman, Secretary of State's Office
Dottie Musselman, Committee Secretary

Conferees appearing before the committee:

None

Chairperson Harper called the meeting to order and announced that the committee would study the proposed amendments to HB 2346. HB 2346 is a bill relating to the campaign finance act.

At this time, Mary Hack, from the Revisor of Statutes' Office, explained the proposed amendments to the committee. The amendments would add two new sections to HB 2346. The first proposal would add one filing time for treasurers for state senators. At the present time, they file 3 times a year, once every 4 years. This would provide that they also file once on December 10, in the year they are not being elected, but the year that the house members are being elected. (Attachment 1)

The second proposed amendment to HB 2346 would provide that state senators get an additional \$750 for each two year period subsequent to the general election. (Attachment 1)

Representative Crumbaker moved to adopt the proposed amendments to HB 2346. Seconded by Representative Wilbert.

At this time, Carol Williams, Public Disclosure Commission, called attention to the fact that the affidavits did become effective as of July 1, and suggested that the language be changed to make it effective upon publication in the state register.

Representative Crumbaker withdrew his original motion. Representative Crumbaker moved to adopt the proposed amendments to HB 2346 and to include the language change suggested by Carol Williams. Seconded by Representative Wilbert. Motion carried.

Representative Crumbaker made a motion to pass out HB 2346, as amended, favorably. Seconded by Representative Wilbert. Motion carried.

Chairperson Harper called attention to the proposed draft for consideration as a committee bill. Mary Hack explained the proposed draft to the committee members. This bill would amend the statutes relating to composition of the state committee of each party to add the president of the political parties' official organization for women. (Attachment 2)

Following discussion, it was moved by Representative Foster to introduce the proposed draft as a committee bill and have it referred back to the committee for hearing. Seconded by Representative Justice. Motion carried.

Representative Wilbert made a motion to accept the minutes of the January 21st meeting. Seconded by Representative Kline. Motion carried.

The meeting adjourned at 9:30 a.m.

Proposed amendments to HB 2346

Be amended on page 1, after line 39, by adding two new sections as follows:

"Sec. 3. K.S.A. 1985 Supp. 25-4148 is hereby amended to read as follows: 25-4148. (a) Every treasurer shall file a report prescribed by this section in the office of the secretary of state so that it is received by that office on or before each of the following days:

(1) The sixth day preceding the primary election, which report shall be for the period beginning on December 1 of the preceding election year for the office the candidate is seeking and ending 11 days before the primary election, inclusive;

(2) the sixth day preceding a general election, which report shall be for the period beginning 10 days before the primary election and ending 11 days before the general election, inclusive; and

(3) December 10 of an election year, which report shall be for the period beginning 10 days before the general election and ending on November 30, inclusive except that treasurers for state senators also shall file on December 10 in the second year following election, which report shall be for the period beginning on December 1 of the preceding election year and ending on November 30 in the second year following election.

(b) Each report required by this section shall state:

(1) Cash on hand on the first day of the reporting period;

(2) the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan;

(3) the aggregate amount of all proceeds from bona fide sales of political materials such as, but not limited to, political campaign pins, buttons, badges, flags, emblems, hats,

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banners and literature;

(4) the aggregate amount of contributions for which the name and address of the contributor is not known;

(5) each contribution, rebate, refund or other receipt not otherwise listed;

(6) the total of all receipts;

(7) the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each and the names and addresses of all persons to whom any loan or advance has been made; when an expenditure is made by payment to an advertising agency, public relations firm or political consultants for disbursement to vendors, the report of such expenditure shall show in detail the name of each such vendor and the amount, date and purpose of the payments to each;

(8) the name and address of each person from whom an in-kind contribution was received or who has paid for personal services provided without charge to or for any candidate, candidate committee, party committee or political committee, if the contribution is in excess of \$50 and is not otherwise reported under subsection (b)(7), and the amount, date and purpose of the contribution;

(9) the aggregate of all expenditures not otherwise reported under this section; and

(10) the total of expenditures.

(c) Treasurers of candidates and of candidate committees shall be required to itemize, as provided in subsection (b)(2), only the purchase of tickets or admissions to testimonial events by a person who purchases such tickets or admissions in an aggregate amount or value in excess of \$50 per event, or who purchases such a ticket or admission at a cost exceeding \$25 per ticket or admission. All other purchases of tickets or admissions to testimonial events shall be reported in an aggregate amount and shall not be subject to the limitations specified in K.S.A. 25-4154 and amendments thereto.

(d) If a contribution or other receipt from a political committee is required to be reported under subsection (b), the report shall include the full name of the organization with which the political committee is connected or affiliated or, name or description sufficiently describing the affiliation or, if the committee is not connected or affiliated with any one organization, the trade, profession or primary interest of contributors of the political committee.

(e) The commission may require any treasurer to file an amended report for any period for which the original report filed by such treasurer contains material errors or omissions, and notice of the errors or omissions shall be part of the public record. The amended report shall be filed within 30 days after notice by the commission.

(f) The commission may require any treasurer to file a report for any period for which the required report is not on file, and notice of the failure to file shall be part of the public record. Such report shall be filed within five days after notice by the commission.

(g) For the purpose of any report required to be filed pursuant to subsection (a) by the treasurer of any candidate seeking nomination by convention or caucus or by the treasurer of the candidate's committee or by the treasurer of any party committee or political committee of which the primary purpose is supporting or opposing the nomination of any such candidate, the date of the convention or caucus shall be considered the date of the primary election.

(h) If a report is sent to the office of the secretary of state by certified or registered mail on or before the day it is due, the mailing shall constitute receipt by that office.

Sec. 4. K.S.A. 25-4153 is hereby amended to read as follows: 25-4153. (a) The aggregate amount contributed to a candidate and such candidate's candidate committee and to all party committees and political committees and dedicated to such candidate's campaign, by any person, except a party committee,

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the candidate or the candidate's spouse, shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor and for other state officers elected from the state as a whole, \$3,000 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election;

(2) for the office of state senator, member of the house of representatives, district judge, associate district judge, district magistrate judge, district attorney or member of the state board of education, \$750 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election, also for the office of state senator, an additional \$750 for each two-year period subsequent to the general election.

(b) For the purposes of this section, the face value of a loan at the end of the period of time allocable to the primary or general election is the amount subject to the limitations of this section. A loan in excess of the limits herein provided may be made during the allocable period if such loan is reduced to the permissible level, when combined with all other contributions from the person making such loan, at the end of such allocable period."

Also on page 1, in line 40, by striking "Sec. 3" and inserting "Sec. 5"; also in line 40, after "K.S.A." by inserting "25-4153,"; also in line 40, before "are", by inserting "and K.S.A. 1985 Supp. 25-4148"; in line 41, by striking "4" and inserting "6".

In the title, in line 16, after "concerning", by inserting "limitations on contributions and"; in line 17, after "K.S.A." by inserting "25-4153,"; in line 18, before "and" by inserting "and K.S.A. 1985 Supp. 25-4148";

HOUSE BILL NO. _____

By

AN ACT relating to political parties; concerning the membership of state party committees; amending K.S.A. 25-3804 and 25-3805 and repealing the existing sections.

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

Section 1. K.S.A. 25-3804 is hereby amended to read as follows: 25-3804. The state committee of each party shall consist of ~~twenty-two--(22)~~ 22 members elected by each congressional district committee; the chairperson and vice-chairperson of each of the congressional district committees; the president of the political parties' official organization for women; the representatives elected to the national committee by the respective state committees; and, as to the respective parties with which each is affiliated, the following: The president of the senate or a senator of the same party designated by the president, the majority leader of the senate or a senator of the same party designated by the majority leader, the speaker of the house of representatives or a member of the house of the same party designated by the speaker, the majority leader of the house of representatives or a member of the house of the same party designated by the majority leader, the minority leader of each house, or a member of the same house and party designated by such minority leader, the assistant minority leader of each house or a member of the same house and party designated by such minority leader, one member appointed by the governor and one member appointed by each United States senator. When the majority leader and minority leader of each house have been selected under K.S.A. 46-142 et. seq. and any amendments thereto, such officers shall serve in lieu of the previous majority leader and minority leader on the state

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committee and state executive committee. When the majority party candidates for president of the senate and speaker of the house of representatives have been nominated under K.S.A. 46-142 et. seq. and amendments thereto, such candidates shall serve in lieu of the named officers on the state committee and state executive committee. Wherever in article 38, chapter 25 of Kansas Statutes Annotated the words chairman or vice-chairman occur, the same shall mean chairperson or vice-chairperson.

Sec. 2. K.S.A. 25-3805 is hereby amended to read as follows: 25-3805. The state committee of each party shall organize by electing a chairperson, a vice-chairperson, secretary and treasurer. Each person elected to the office of chairperson, vice-chairperson, secretary or treasurer of the state committee shall thereupon become a member of the state committee with full voting rights as such a member or shall retain membership and voting rights if such person is a member of the state committee at the time of such person's election. A meeting for such purpose, to be held at Topeka, Kansas, not sooner than all of the district party committee organization meetings required to be held under K.S.A. 25-3803 have been held and not later than one hundred-twenty-~~(120)~~ 120 days after each general election, shall be called by the state party chairperson, or if the chairperson fails to do so for any reason, by the state party vice-chairperson. Such meetings shall be called by mailing a notice to each member and alternate member of the state committee at least ten-~~(10)~~ 10 days before the date of the meeting. The person calling such meeting shall serve as temporary chairperson thereof. When the twenty-two-~~(22)~~ 22 members are elected by each congressional district committee, there shall also be elected an alternate for each. Alternate members shall represent their respective regular member in the absence of the regular member. No member of the state committee shall be represented by proxy at its meetings.

The executive committee of each state party committee shall consist of the state chairperson, state vice-chairperson, state

secretary, state treasurer, the representatives elected to the national committee by the respective state committees, the president of the political parties' official organization for women and the chairperson and vice-chairperson of each of the congressional district committees. In addition, as to the respective parties with which each is affiliated, the president of the senate or a senator of the same party designated by the president, the majority leader of the senate or a senator of the same party designated by the majority leader, the speaker of the house of representatives or a member of the house of the same party designated by the speaker, the majority leader of the house of representatives or a member of the house of the same party designated by the majority leader, the minority leader of each house, or a member of the same house and party designated by such minority leader, the assistant minority leader of each house or a member of the same house and party designated by such assistant minority leader, a person designated by each United States senator and a person designated by the governor shall be members of the executive committee. The state chairperson shall be chairperson of the executive committee.

Sec. 3. K.S.A. 25-3804 and 25-3805 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.