

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, March 24, 1987 in room 521-S of the Capitol.

All members were present except: Representative Helgerson, excused; Representative Jenkins, excused; Representative Roy, excused; and, Representative Shallenburger, excused.

Committee staff present: Myrta Anderson, Legislative Research Department  
Nancy Ryan, Secretary of State's Office  
Ron Thornburgh, Secretary of State's Office  
Jill Wolters, Office of the Revisor of Statutes  
Dottie Musselman, Committee Secretary

Conferees appearing before the committee:

Carol Williams, Public Disclosure Commission  
Earl Nehring, Common/Cause

Chairperson Harper called the meeting to order, and recognized Carol Williams, Public Disclosure Commission. SB 157, was first on the agenda today, and this bill concerns the campaign finance act; relating to complaints of violations.

Ms. Williams came before the committee telling them that SB 157 is supported by the Commission, and told them that this bill would clarify the subpoena process of the Public Disclosure Commission under the Campaign Finance Act.

Earl Nehring, Common/Cause, was now recognized by the Chair, and he came before the committee asking their support of SB 157. Mr. Nehring told the committee, at the present time, the Commission does not have the necessary authority to assure compliance. SB 157 would give it to them. The authority could be exercised only with judicial approval, which should prevent them from abusing the authority. (Attachment 1).

Following a discussion period, the hearing closed on SB 157. A motion to recommend SB 157 favorably for passage was made by Representative Sawyer, and seconded by Representative Blumenthal. With a show-of-hands vote this motion failed. 4 in favor, and 6 opposed.

The Chair recognized Carol Williams, who came before the committee in support of SB 252. This is a bill relating to state governmental ethics; concerning investigations of complaints by the Kansas Public Disclosure Commission. Ms. Williams told the committee this bill basically is the same language as SB 157, and that SB 252 would clarify the subpoena process of the Public Disclosure Commission under the conflict of interest statutes.

Earl Nehring, appeared before the committee asking their support in passage of SB 252.

Following discussion, a motion was made by Representative Sawyer to recommend SB 252 favorably for passage. Seconded by Representative Larkin. The motion failed.

Representative Flottman made a motion to accept the minutes of the March 19, 1987, meeting as written. Seconded by Representative Baker. Motion carried.

The meeting adjourned at 9:25 a.m.



March 24, 1987

Statement in support of Senate Bills 157 and 252  
presented to the House Committee on Elections  
by Earl Nehring for Common Cause/Kansas

Our organization supports both Senate bills. We wish to reemphasize what we said in an earlier hearing on another bill which would have given additional subpoena authority to the Kansas Public Disclosure Commission. In order to do its job properly, the Disclosure Commission must be able to investigate complaints thoroughly enough to be reasonably certain that a violation of the law has occurred before the Commission calls for a public hearing.

The basic question is simply do you want the Disclosure Commission to be able to see that the campaign finance and governmental ethics laws are enforced? The Commission will act now when obvious violations occur. When the evidence suggests violations but is not conclusive, the Commission may not be able to get the data it needs to resolve its concerns. In such cases the Commission is likely to drop the matter rather than go public.

The basis for compliance with the law in this arena of political activity is the knowledge that violations can be found out and will be pursued. Right now the Commission does not have the necessary authority to assure compliance. These bills would give it to them. The authority could be exercised only with judicial approval, which certainly should prevent any abuse of that authority.

We recommend approval of both bills.

*attachment I  
3-24-87.  
House Elections*