

Approved 2/7/89  
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Kenneth R. King at  
Chairperson

9:05 a.m./p.m. on Thursday, February 2, 1989 in room 521-S of the Capitol.

All members were present except: Representative Dillon, excused Representative Jones, excused  
Representative Foster, excused Representative Sawyer, excused  
Representative Johnson, excused Representative Scott, excused  
Representative Wilbert, excused

Committee staff present:  
Myrta Anderson, Legislative Research Department  
Fred Carman, Revisor of Statutes Office  
Ron Thornburgh, Secretary of State's Office  
Ellie Luthye, Committee Secretary

Conferees appearing before the committee: None

The meeting of the House Elections Committee was called to order by Chairman Kenneth King at 9:05 a.m.

Chairman King opened HB 2056 for discussion. Representative Sebelius moved that HB 2056 be passed favorably. Representative Baker seconded. The motion carried.

Representative Baker stated that in 1986 a concurrent resolution HCR 2056, was placed on the ballot dealing with the State Board of Education that would remove their self executing powers and place them under the jurisdiction of the legislature. This resolution passed both Houses by a large majority. She requested that this same bill be introduced by the committee and placed this in the form of a motion. This was seconded by Representative Lucas. The motion carried.

Representative Cates requested to introduce a bill that would allow the Secretary of State to broadcast legal notices and constitutional amendments via radio and TV. (Attachment I) This was seconded by Representative Lucas. The motion carried.

The minutes of the meeting on January 31st were presented to the Committee. Representative Empson moved that the minutes be approved as presented. The motion was seconded by Representative Shallenburger. The motion carried.

The meeting was adjourned at 9:13 a.m.

The next meeting of the House Elections Committee will be held on Tuesday, February 7th, 1989, Room 521-S.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.



BY REQUEST ~~Section~~

PROPOSED DRAFT

AN ACT authorizing official notices by radio or television broadcast.  
*Be it enacted by the Legislature of the State of Kansas:*

Section 1. Any official of the state or any of its political subdivisions who is required by law to publish any notice required by law may supplement publication thereof by radio or television broadcast, or both, when such official determines the public interest will be served thereby, except that the time, place and nature of such notice only shall be read or shown and no reference shall be made to any person by name who is at the time of notice a candidate for political office, and such person shall not be seen nor heard in the broadcast.

Sec. 2. (a) Each radio or television station broadcasting any legal notice or notice of event shall for a period of six months subsequent to such broadcast retain at its office a copy or transcription of the text of the notice as actually broadcast which shall be available for public inspection.

(b) Proof of broadcast of legal notice or notice of event by radio or television shall be by affidavit of the manager, an assistant manager or a program director of the station broadcasting the same.

Sec. 3. (a) The secretary of state shall supplement publication of legal notice of proposed constitutional amendments by radio and television broadcast as provided under section 1, at such times and with such frequency as determined suitable by the secretary of state during the week immediately preceding the election at which the proposition is to be submitted.

(b) Failure to broadcast notices provided for in subsection (a) at any one station or in a particular geographic location of the state, shall in no way affect the validity of such notice or legal advertisement and shall not subject any such notice or advertisement to

Attachment I

legal attack upon such grounds.

Sec. 4. (a) The charges made for legal advertisements on broadcast shall not exceed the comparable rate charged by the station to commercial customers.

(b) Any contract rates or volume discounts given to commercial customers by the station shall be available to persons or political subdivisions causing broadcast of legal advertisements, under the same terms and conditions as for commercial advertisements.

(c) As used in this section, "legal advertisement" and "political subdivision" have the meanings provided in K.S.A. 28-137b.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas Register.