

Approved \_\_\_\_\_

2-20-89

Date

MINUTES OF THE Senate COMMITTEE ON Elections

The meeting was called to order by Senator Don Sallee

Chairperson

at

1:30

~~am~~/p.m. on

February 13, 1989

19

522-S

of the Capitol.

All members were present except:

All members present

Committee staff present:

Myrta Anderson, Research Department  
Fred Carman, Revisor of Statutes' Office  
Elizabeth Handke, Committee Secretary

Conferees appearing before the committee:

Janet Williams, Public Disclosure Commission  
Michael Woolf, Common Cause  
Ron Thornburgh, Secretary of State Office

Others attending: see attached list (attachment 1)

The meeting was called to order by Chairman Don Sallee at 1:35 P.M.

Janet Williams of the Public Disclosure Commission appeared before the committee as a proponent of S.B. 81 (attachment 2). She offered a balloon draft with an amendment after the sentence "No person licensed, inspected or regulated by a state agency and no person who contracts to provide goods and services to a state agency shall offer, pay give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$100 or more in any calendar year to that agency." The sentence to be added is "Nothing herein is intended to affect the competitive bid process and the offerings of special discounts pursuant to those actions".

Michael Woolf, Common Cause, also appeared as a proponent to S.B. 81 (attachment 3). He said his organization endorses Senate Bill 81 as a reasonable extension of our state government ethics laws and has always supported proposals to minimize the opportunity for abuse in this area.

Ron Thornburgh from the Secretary of State office testified as a proponent to S.B. 112 (attachment 4). He stated the bill would clean up several inadequacies of Kansas' Voter Registration laws. The first request was to allow the Secretary of State and his appointed Deputies to register voters on a statewide basis. Secondly, he asked that no campaign materials be distributed at voter registration outposts. Thirdly, he asked that when a voter is removed from the voter registration list, that the name also be removed from the voter affiliation list. Lastly, he asked for a change in the time that the county election officers must provide his office with voter registration records of 20 days prior to the primary and general elections. Discussion was held concerning what exactly a voter registration outpost is and concerning the number of feet a candidate can have a booth from a voter registration outpost.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Elections 2-20-89  
room 522-S Statehouse, at 1:30 ~~a.m.~~/p.m. on February 13, 1989, 19   

Michael Woolf, Common Cause, appeared as a proponent to S.B. 112 (attachment 5). He testified New Section 1 gives the Secretary of State and his deputy assistants, the opportunity to register the voters on a statewide basis which is one of many ways to increase the convenience and simplicity of voter registration.

Janet Williams, Public Disclosure Commission, appeared as a proponent of S.B. 82 (attachment 6). She testified that S.B. 82 amends K.S.A. 46-226 to broaden the definition of "representation case" to include "representation with compensation regardless of whether an actual appearance will be made before the state agency".

Senator Martin made a motion the minutes of February 6 and 7 be approved. Senator Rock seconded the motion. The motion carried.

The Chairman adjourned the meeting at 2:10 P.M.



STATE OF KANSAS



KANSAS PUBLIC DISCLOSURE COMMISSION

109 W. NINTH  
TOPEKA, KANSAS 66612  
PHONE: (913) 296-4219

**Testimony Before Senate Elections Committee on Senate Bill 81**

**By Janet Williams, Kansas Public Disclosure Commission**

The new language contained in Section 1(c) of SB 81 is a recommendation made by the Kansas Public Disclosure Commission in its "1988 Annual Report and Recommendations". SB 81 prohibits a person who contracts to provide goods and services to a State agency from offering, paying or making any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$100 or more in any calendar year to that agency.

The legal and purchasing divisions of the Department of Administration requested for clarification that the following language be added to Section 1(c) on line 41: "Nothing herein is intended to effect the competitive bid process and the offerings of special discounts pursuant to those actions." (see attachment)

The Kansas Public Disclosure Commission believes that one of its purposes in the government ethics area is to provide public trust in State government. SB 81 eliminates the appearance, suggested or real, of unethical conduct by a State agency.

Elections  
February 13, 1989  
Attachment 2

## SENATE BILL No. 81

By Committee on Elections

1-25

15 AN ACT concerning state governmental ethics; acceptance of certain  
16 gifts or favors; amending K.S.A. 46-237 and repealing the existing  
17 section.  
18

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

20 Section 1. K.S.A. 46-237 is hereby amended to read as follows:  
21 46-237. (a) No state officer or employee or candidate for state office  
22 shall accept, or agree to accept any economic opportunity, gift, loan,  
23 gratuity, special discount, favor, hospitality, or service having an  
24 aggregate value of \$100 or more in any calendar year from any one  
25 person known to have a special interest, under circumstances where  
26 such person knows or should know that a major purpose of the donor  
27 is to influence such person in the performance of their official duties  
28 or prospective official duties.

29 (b) No person with a special interest shall offer, pay, give or  
30 make any economic opportunity, gift, loan, gratuity, special discount,  
31 favor, hospitality or service having an aggregate value of \$100 or  
32 more in any calendar year to any state officer or employee or can-  
33 didate for state office with a major purpose of influencing such officer  
34 or employee in the performance of official duties or prospective  
35 official duties.

36 (c) No person licensed, inspected or regulated by a state agency  
37 and no person who contracts to provide goods and services to a  
38 state agency shall offer, pay, give or make any economic opportunity,  
39 gift, loan, gratuity, special discount, favor, hospitality, or service  
40 having an aggregate value of \$100 or more in any calendar year to  
41 that agency.

42 (d) Hospitality in the form of food and beverages are presumed  
43 not to be given to influence a state officer or employee in the

Nothing herein is intended to affect the competitive bid process and the offerings of special discounts pursuant to those actions.

Elections  
February 13, 1989  
Attachment 2

44 performance of such officer's or employee's official duties or pro-  
45 spective official duties, except when a particular course of official  
46 action is to be followed as a condition thereon.

47 (e) Except when a particular course of official action is to be  
48 followed as a condition thereon, this section shall not apply to (1)  
49 any contribution reported in compliance with the campaign finance  
50 act; or (2) a commercially reasonable loan or other commercial trans-  
51 action in the ordinary course of business.

52 Sec. 2. K.S.A. 46-237 is hereby repealed.

53 Sec. 3. This act shall take effect and be in force from and after  
54 its publication in the statute book.

Elections  
February 13, 1989  
Attachment 2-3



**COMMON CAUSE / KANSAS**

701 Jackson, Room B-6 • Topeka, Kansas 66603

February 13, 1989

Statement in support of Senate Bill 81  
Presented to the Senate Elections Committee  
by Michael Woolf, Executive Director

Common Cause/Kansas endorses Senate Bill 81 as a reasonable extension of our state government ethics laws. Our organization has always supported proposals to minimize the opportunity for abuse in this area.

Senate Bill 81 prohibits contractors from providing gifts, favors, services, etc., to state agencies with an aggregate value of \$100 or more. This is a proper safeguard against unethical attempts to influence the official duties of state agencies and agency employees.

Senate Bill 81 will also help to eliminate any appearance that a state agency has been or might be influenced by the donation of gifts or services.

In summary, Common Cause supports Senate Bill 81 as a necessary provision to protect against the reality or appearance of unethical behavior.

Elections  
February 13, 1989  
Attachment 3

Bill Graves  
Secretary of State



2nd Floor, State Capitol  
Topeka, KS 66612-1594  
(913) 296-2236

## STATE OF KANSAS

TESTIMONY OF RON E. THORNBURGH  
FEBRUARY 13, 1989

SB 112

Thank You Mr. Chairman, member of the committee.

Our office asked for the introduction of SB 112 to clean up several inadequacies of Kansas' Voter Registration laws.

\ First we ask that the Secretary of State and his appointed Deputies be allowed to register voters on a statewide basis. Currently, the Secretary of State, as the chief election officer of the state of Kansas, may not register voters unless he is first deputized by a county election officer. Because our office has recently embarked on an aggressive voter registration campaign, including registering voters at the state fair, and enlisting the help of Hallmark Cards and Southwestern Bell Telephone, we believe giving the Secretary of State authority to register voters is a vital step in furthering voter registration in the state of Kansas.

2 Secondly, we ask that no campaign materials be distributed at voter registration outposts. We do not wish to have a single potential registered voter deterred by over-anxious campaign workers. By making it illegal to distribute campaign material at registration outposts, you will be making voter registration the clean, free choice activity it is meant to be.

3 Next, we have asked that when a voter is removed from the voter registration list, that the name also be removed from the voter affiliation list. This is simply meant to clean up legislation from last year.

4 Lastly, we are asking for a change in the time that the county election officers must provide our office with voter registration records. By having the county election officers provide this information after the books have closed 20 days prior to the primary and general elections, we will have much better voter registration figures. In addition we are asking that the same records be sent to our office one time in off election years.

In closing, I ask for your support for SB 112 and that you recommend it favorably for passage.

Thank you.

Elections  
February 13, 1989  
Attachment 4





**COMMON CAUSE / KANSAS**

701 Jackson, Room B-6 • Topeka, Kansas 66603

February 13, 1989

Statement in support of Senate Bill 112  
Presented to the Senate Elections Committee  
by Michael Woolf, Executive Director

Common Cause/Kansas rises in support of Senate Bill 112 and asks that the Committee recommend it favorably for passage.

Common Cause has consistently supported efforts to increase the number of citizens involved in the political process. New Section 1 gives the Secretary of State, and his deputy assistants, the opportunity to register the voters on a statewide basis. This is one of many ways to increase the convenience and simplicity of voter registration that Common Cause supports.

In the same vein, we also support registration of voters on election day. A bill that would allow same day registration has been introduced in the House, and I hope that I will have the opportunity to present testimony on that bill in this committee.

Senate Bill 112 also prohibits the distribution of campaign material at voter registration outposts. We also support this section as a general good policy. We do not believe that the registration table is the proper place for campaigning.

We also support the changes to K.S.A. 25-2316 and 25-3302 that Senate Bill 112 makes. Both changes appear to simplify and make more efficient the job of the Secretary of State.

Elections  
February 13, 1989  
Attachment 5

STATE OF KANSAS



KANSAS PUBLIC DISCLOSURE COMMISSION

109 W. NINTH  
TOPEKA, KANSAS 66612  
PHONE: (913) 296-4219

**Testimony Before Senate Elections Committee on Senate Bill 82**

**By Janet Williams, Kansas Public Disclosure Commission**

The new language contained in Section 1 of Senate Bill 82 is a recommendation made by the Kansas Public Disclosure Commission in its "1988 Annual Report and Recommendations". Senate Bill 82 amends K.S.A. 46-226 to broaden the definition of "representation case" to include "representation with compensation regardless of whether an actual appearance will be made before the state agency".

Currently state officers and employees are required to file representation case disclosure statements when they appear before a state agency on behalf of a client. However, if the representation does not require an appearance, the employment need not be disclosed.

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Attachment 6