

Approved 2-12-90
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by Senator Don Sallee at
Chairperson

1:30 ~~am~~ p.m. on February 6, 1990 in room 529-S of the Capitol.

All members were present ~~except~~ or excused.

Committee staff present:

Pat Mah, Legislative Research Department
Ardan Ensley, Revisor of Statutes Office
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Cathy Whitaker, Kansas Republican Party
Others attending: See attached list

Chairman Don Sallee called the meeting to order shortly after 1:30 p.m.

Discussion continued on SB-574 which would repeal K.S.A. 25-3802, 25-3806, 25-3810, and 25-3811 and K.S.A. 1989 Supp. 25-3803, 25-3804 and 25-3805 relating to political parties. Committee members were referred to a communication from the Attorney General written January 11, 1990 as well as information presented by Julene L. Miller, Deputy Attorney General on January 23, 1990. Cathy Whitaker, Kansas Republican Party, told the Committee that the Republican party had, due to concern regarding these statutes, adopted temporary rules which would parallel the Kansas statutes within the structure of the Republican party.

Concern was expressed that should the statutes not be repealed a suit concerning their constitutionality could be filed with the state being forced to pay their attorney's fees. Staff noted a problem in that the repeal of these statutes might leave a system with "holes". It was noted that if this theory held there might be other sections in violation of federal law as it deals with "parts" of a whole.

Senator Yost moved to report SB-574 favorable for passage with a second by Senator Kerr. The motion carried.

A bill draft concerned with limits to contributions to state parties was discussed. It was noted there is a bill in the House, HB-2725, addressing the same issue, however the House bill removes all caps.

Kathy Whitaker, Kansas Republican Party, noted difficulty with the time frame stating it puts the state parties into the position of operating under certain limits for 21 months prior to the primary election and then other limits for 3 months prior to the general election. The time frame makes a business operation very difficult. Also, the federal law seems to deal with state and county as one entity without the freedom to transfer money from the county fund to the state fund.

Staff noted it would appear a calendar year time frame rather than an election time frame is only for the purpose of imposing caps and would not impede expenditure of funds, only that it must be done at certain times. Chairman Sallee appointed a subcommittee to study the bill draft and which will be chaired by Senator Yost, with Senator Bond and Senator Lee serving as members.

The meeting adjourned at 2:10 p.m.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE February 6, 1990

(PLEASE PRINT)

NAME AND ADDRESS

ORGANIZATION

Cathy Whitaker 214 W 6TH TOPEKA

KS REPUBLICAN PARTY

Michael Woolf Topoka

Common Cause

Rebecca Bossemeyer TOPEKA

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Mike Nehrey Oskaloosa

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