

Approved 2-20-91
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Tom Sawyer at
Chairperson

9:07 a.m./p.m. on Tuesday, February 19th, 1991 in room 521-S of the Capitol.

All members were present except:

Committee staff present:

Pat Mah, Research
Arden Ensley, Revisor
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Ron Thornburgh, Office of the Secretary of State

The House Elections Committee was called to order by Chairman Tom Sawyer at 9:07 a.m. on Tuesday, February 19, 1991.

The minutes of the meeting on February 5th were presented for approval. Representative Macy made a motion the minutes be approved, seconded by Representative Shallenburger and the motion carried.

The Chair next called for the reports from the Sub-Committees, who had been reviewing the report from the Select Commission on Ethics, and asked for their recommendations.

The first Sub-Committee report was on Lobbying and Administration and was presented by Chairman Ed McKechnie. (Attachment 1)

Following this report the Chair asked for a motion to adopt the sub-committee report. This motion was made by Representative Stephens and seconded by Representative Johnson. Following discussion it was recommended by Representative Shallenburger that the committee wait until they have a written report to look at before any of the reports are adopted. The Chair concurred with this suggestion and no action was taken on the motion.

Representative Macy next reported on the Campaign Finance sub-committee recommendations. (Attachment 2)

The Conflict of Interest Sub-Committee report was given by Chairman Tim Shallenburger.

These reports will be presented in written form at the meeting of the Elections Committee on Thursday, February 21st.

The Chair next called for discussion and final action on HB 2079, prohibiting the enclosure of any campaign material in an absentee ballot envelope. Ron Thornburg, from the office of the Secretary of State, requested an amendment. The amendment would read "no person shall, while delivering an absentee ballot, also deliver, present or provide any political campaign literature or advertising desiged to influence a voter to vote for or against a particular candidate or question submitted." Following discussion Representative Shallenburger made a motion to adopt the amendment, seconded by Representative Love and the motion carried. Representative Shallenburger made a motion to pass HB 2079, as amended, seconded by Representative Scott and the motion carried. (Attachment 3)

Representative Jones requested the committee introduce a bill requiring all county election commissioners be elected rather than some being appointed by the Secretary of State. Representative Johnson seconded the motion and the motion carried.

Chairman Sawyer adjourned the House Elections Committee at 10:00 a.m. The next meeting will be Wednesday, February 20th, 1991 in Room 521-S.



TOPEKA

HOUSE OF
REPRESENTATIVES

ED MCKECHNIE

REPRESENTATIVE, THIRD DISTRICT

224 W. JEFFERSON

PITTSBURG, KANSAS 66762

(316) 231-1669

ROOM 281-W

STATEHOUSE

TOPEKA, KS 66612

ASSISTANT MAJORITY WHIP

COMMITTEE ASSIGNMENTS

VICE CHAIRMAN: COMPUTERS, COMMUNICATION
AND TECHNOLOGYMEMBER: ELECTIONS
ENERGY AND NATURAL RESOURCES
TRANSPORTATION
PENSIONS, INVESTMENTS AND
BENEFITS

February 15, 1991

FEE FUNDING FOR PUBLIC DISCLOSURE COMMISSION

LOBBYISTS

Minor lobbyists (\$1,000 per year and less)	830 x \$15 =	\$12,450
Major lobbyists (\$1,001 per year and up)	139 x \$150 =	\$20,850
<u>Sub-total</u>		<u>\$33,300</u>

PAC'S

Minor PAC'S (\$2,500 per year and less)	120 x \$10 =	\$ 1,200
Major PAC'S (\$2,501 per year and more)	130 x \$150 =	\$19,500
<u>Sub-total</u>		<u>\$20,700</u>

CANDIDATES

Statewide Candidates	22 x \$250 =	\$ 5,500
	Annual (\$ 1,375)	
Senators & County Officers	1,890 x \$20 =	\$37,800
	Annual (\$ 9,450)	
Representatives, City of First Class and non-retention judges	753 x \$10 =	\$ 7,600
	Annual (\$3,800)	
<u>Annual sub-total</u>		<u>\$14,625</u>

Allow public Disclosure Commission to sell non filing and basic
informational material and keep fines

TOTAL ADDITION TO YEARLY BUDGET\$68,625House Elections Committee
Attachment 1
2-19-91

Mr. Chairman,

Your Subcommittee for Lobbying and Administration concurs with the lobbying and administration recommendations in the *Final Report of the Kansas Selection Commission on Ethical Conduct to the 1991 Legislature*, except for the following:

Lobbying Regulation

- (1) Item 4 in the Report which relates to reporting of lobbyists should be changed to provide that:
 - a. Lobbyists should continue to file expenditure reports rather than have the lobbyist principal file the report as recommended by the Select Commission. However, lobbyist principals should register once a year and reregister if necessary during the year if information contained in the original registration changes. The lobbyist principal's registration should contain a list of all employed lobbyists.
 - b. Lobbyists should file reports of all expenditures by the 10th day of the months of February, March, April, May, September, and December. The Select Commission recommended that lobbyist principals file reports of all expenditures on the 10th day of the months for these same months. The reports, as recommended by the Select Commission, should include all expenditures for the preceding calendar month and for any other months since the last report was filed. However, rather than follow the recommendation of the Select Commission which says that reporting should be in such reasonable categories as determined by the Kansas Public Disclosure Commission, reporting should be in the following categories: expenses for food and beverage in the form of hospitality; costs for entertainment, gifts, honoraria, or payments; costs for mass media communications; costs for salaries, fees, retainers, and any other compensation received from the lobbyist's principal; costs for attorney position papers and similar documents; costs for witnesses traveling and lodging; costs for communications for the purpose of influencing legislative and executive action; and costs for other related expenses.
 - c. Concur with the recommendation of the Select Commission to require that reports of lobbyists include the names of the recipients of the hospitality, except when the hospitality is extended to all members of the Legislature and such events are appropriately reported by the lobbyists.
2. The Subcommittee also recommends the following items which were not included in the recommendations of the Select Commission:
 - a. The Secretary of State and the Public Disclosure Commission should be authorized to pull the name badge of any lobbyist who fails to file a report or files an incorrect report.
 - b. Lobbyists should be allowed 30 days to correct a report once the lobbyist has been notified by the Kansas Public Disclosure Commission.
 - c. The expenditure of public funds for the publishing of the legislative social calendar should be prohibited.
 - d. Any discrepancy in regard to the appointments for the Public Disclosure Commission by legislative leadership, such as the terms of the appointments not coinciding with the terms of the appointing officer, should be cleared up.

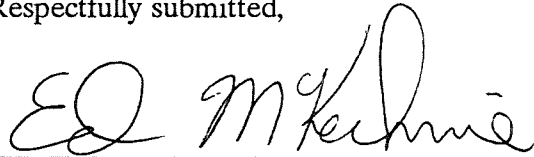
- e. The lobbying regulation laws should apply to any individual who lobbies local officials under the Campaign Finance Act, which would include candidates for elective office in cities of the first class, counties, and the Board of Public Utilities in Kansas.

f. A lobbyist cannot act as a candidate's Treasurer

Administration

- 3. Implement the attached fee schedule to provide revenues for operating the Kansas Public Disclosure Commission.
- 4. Rather than repeal existing sunset provisions in the law for the Public Disclosure Commission, as recommended by the Select Commission, change the date of the sunset provisions to July 1, 1997.
- 5. Consider amending K.S.A. 25-4148a in regard to the listing of the occupation of a contributor to a candidate who must file a report under the Campaign Finance Act when the contribution is \$50 or more. The law provides that the occupation of the contributor must be listed on the report "if known to the candidate."

Respectfully submitted,



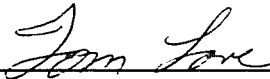
Representative Ed McKechnie
Subcommittee Chair



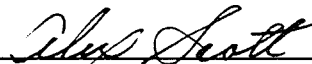
Representative Elizabeth Baker



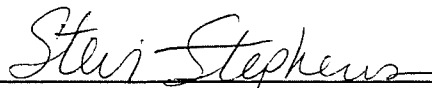
Representative Ann Cozine



Representative Tom Love



Representative Alex Scott



Representative Stevi Stephens

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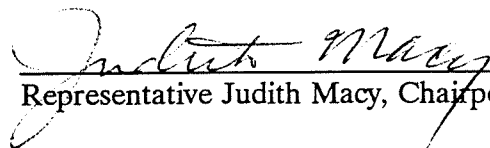
February 19, 1991

Mr. Chairman:

Your Subcommittee for Campaign Finance concurs conceptually with the Campaign Finance recommendations in the *Final Report of the Kansas Selection Commission on Ethical Conduct to the 1991 Legislature* except for the following:

1. The Subcommittee was unable to reach agreement on item No. 2 in the Report which says: "Provide that political campaign contributions from organizations, corporations, unions, and political committees be prohibited in the state races in Kansas."
2. The Subcommittee agreed conceptually with item No. 9 in the Report which says: "Enact legislation that would prohibit the use of public funds, public property, public time, or public personnel in activities which are primarily and substantially directed toward an election campaign or the defeat of a candidate and which are not part of the official ongoing duties of the individuals involved." However, the Subcommittee recommends that the term "public time" be removed from the recommendation and that definitions be added during the drafting of legislation for this recommendation in order to clarify it.

Respectfully submitted,


Representative Judith Macy, Chairperson

Representative Tom Loye



Representative Mark Parkinson

Majority of the subcommittee
3-2 vote, voted for item #2
in the report and I request it
the committee bill.

Representative Sandy Praeger



Representative Tom Thompson

The subcommittee did
concur on a 3-2
vote to include item
#2.

Bill Graves
Secretary of State



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STATE OF KANSAS

TESTIMONY OF RON THORNBURGH
HOUSE ELECTION COMMITTEE
FEBRUARY 5, 1991

House Bill 2079

Thank you Mr. Chairman and members of the committee for the opportunity to appear before you today on behalf of Secretary of State Graves.

House Bill 2079 prohibits the enclosure of any campaign material in an absentee ballot envelope. We experienced a problem last year when a candidate for office requested absentee ballots on behalf of voters and then stuffed the envelope with campaign material. We feel this is very much like campaigning at the polling place, which is prohibited.

Because the language of the bill only prohibits the enclosure of campaign material in the ballot envelopes, we also offer the following amendment:

"No person shall, while delivering an absentee ballot, also deliver, present or provide any political campaign literature or advertising designed to influence a voter to vote for or against a particular candidate or question submitted."

This language will prohibit any campaign material from reaching an absentee voter in conjunction with their absentee ballot.

In conclusion, we ask that you report House Bill 2079 favorable for action as amended.

House Elections Committee
Attachment 3
2-19-20