

Approved 3-29-91
Date

MINUTES OF THE House COMMITTEE ON Elections

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

9:13 a.m./p.m. on Wednesday, March 27th, 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:

Carol Williams, Kansas Public Disclosure Commission
Ron Thornburgh, Office of the Secretary of State

The House Elections Committee was called to order at 9:13 a.m. by Chairman Tom Sawyer on Wednesday, March 27th.

The minutes of the meeting for March 26th were presented for approval or correction. Representative Stephens made a motion to approve the minutes, seconded by Representative Cozine and the motion carried.

The Chair opened hearings on SB 128, concerning membership to the Kansas Public Disclosure Commission, and called on Carol Williams to present her testimony.

She stated this bill provides a means to terminate the membership of a member of the Commission once it is determined that a member has become ineligible to serve. (Attachment 1)

Following her testimony she stood for questions from the committee.

Hearings were next opened on SB 239, relating to drainage districts, concerning the election of directors.

Ron Thornburgh appeared before the committee on behalf of Secretary of State Graves. He stated this bill would simply change the filing deadline for those people filing for the office of director of drainage districts. Currently they file on the Wednesday following the primary election. SB 239 would require that they file on the Tuesday preceding the first Tuesday in April by 10 weeks. He also stated this was purely administrative and would make the filing dates the same for the drainage district as the school district and city offices.

The next bill opened for hearings was SB 240, concerning election boards.

Ron Thornburgh spoke on this bill, stating that current law requires an election board to have an odd number of members and consist of at least three persons. This bill would provide that the county election officer could appoint an even number of members, as long as there are three members on the board. In case of a tie vote among the board members, the supervising judge would abstain from voting. He stated cost was one of the reasons for this bill, with minimum wage being raised to \$4.20 an hour and also being required to withhold Social Security. This bill would allow an election officer to determine the appropriate number of election workers for each voting place and in some cases would be able to reduce the number of workers.

SB 241, relating to canvasses by the county board of canvassers, was next opened for hearings.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S, Statehouse, at 9:13 a.m./p.m. on Wednesday, March 27, 1991

Ron Thornburgh, on behalf of the Secretary of State, rose in support of this bill. He stated current law requires that the county board of canvassers meet between 8:00 and 10:00 a.m. on the Friday that follows an election held on Tuesday. Occasionally this would fall on a holiday and this bill would simply state they could meet on the following Monday in event of a holiday.

Following presentation of testimony on SB 239, SB 240, and SB 241, the conferee stood for questions from the committee.

The Chair declared hearings closed on the four previous bills.

The House Elections Committee was adjourned at 9:30 a.m.

The next meeting of the House Elections Committee will be Thursday, March 28th, 9:00 a.m. in Room 521-S.

STATE OF KANSAS



KANSAS PUBLIC DISCLOSURE COMMISSION

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

Testimony before House Elections on Senate Bill 128

By Carol Williams, Kansas Public Disclosure Commission

Senate Bill 128 which is before you today would amend K.S.A. 1990 Supp 25-4119d. This bill is a recommendation made by the Kansas Public Disclosure Commission in its 1990 Annual Report and Recommendations. This bill provides a means to terminate the membership of a member of the Commission once it is determined that a member has become ineligible to serve. Currently, no member of the Commission shall (1) hold an elective office; (2) serve as a chairperson or treasurer for any candidate or committee under the Campaign Finance Act; (3) actively solicit contributions subject to the provisions of the Act; (4) hold the office of Secretary of any department of state government; (5) be a lobbyist as defined by K.S.A. 46-222; or (6) hold a substantial interest in or be employed by or provide services under contract to any vendor of goods or services to the State of Kansas or any agency. Although the above prohibitions exist, K.S.A. 25-4119a(b) requires a Commissioner to continue serving until a successor is appointed and qualified. The Commission feels that once a statutory conflict is found to exist concerning the service of one of its members, that Commissioner should be precluded from further service on the Commission.

In Senate Bill 128, an affirmative vote of five or more members of the Commission could terminate the membership of a member who no longer qualifies to serve. The member would no longer be eligible to participate in any action or proceeding by the Commission once an affirmative vote is obtained.