

Approved 2-25-91
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by SENATOR DON SALLEE at
Chairperson

1:30 ~~xxx~~ p.m. on February 18, 1991 in room 529-S of the Capitol.

All members were present ~~xxx~~ or excused:

Committee staff present:

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

Conferees appearing before the committee:

Carol Williams, Public Disclosure Commission

Others attending: See attached list

The meeting was called to order shortly after 1:30 p.m. by Chairman Don Sallee.

SB-128 - Relating to Kansas Public Disclosure Commission membership.

Carol Williams, Public Disclosure Commission, appeared in support of SB-128 noting the change was needed because, as the statute presently reads, a member will serve until such time a successor is appointed. This causes difficulties both for the departing member and other members of the commission. Senate Bill 128 would permit five or more members of the board to cast votes to terminate the services of the departing member. (Attachment 1)

Staff told committee members the change in the statute would permit members of the commission to vote concerning a member's disability to serve and a vote of five or more members would terminate service of the resigning member in question.

Discussion followed concerning the definition of a lobbyist. Carol Williams noted an unregistered lobbyist could lobby if they did not spend more than \$100 per year.

Senator Kerr made a motion to pass SB-128 favorable. Senator Reilly seconded the motion and the motion carried.

SB-85 - Concerning the withdrawal of a person's name from nomination.

Senate Bill 85, concerning the withdrawal of a person's name from nomination was placed before the committee for action. It was noted this change would provide the time needed for mailing military absentee ballots.

Senator Rock made a motion to pass SB-85 favorable. Senator Lee seconded the motion and the motion carried.

SB-86 - Relating to governmental ethics in local governmental subdivisions; defining substantial interest and compensation.

Following discussion concerning SB-86 it was decided to hold the bill for several days.

Chairman Sallee assigned SB-153 to the subcommittee chaired by Senator Yost.

The meeting adjourned at 2 p.m. and will meet February 19, 1991 at 1:30 p.m.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE February 18, 1991

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

Michael Wolf Topeka
Ron Horvath "
Teresa Floerchinger " "

Common Cause/RS
SOS
Division of the Budget

STATE OF KANSAS



KANSAS PUBLIC DISCLOSURE COMMISSION

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TOPEKA, KANSAS 66612
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Testimony before Senate 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.

Senate Elections
February 18, 1991
Attachment 1