

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Carol Dawson, at 9:00 a.m. on March 7, 1995 in Room 521-S of the Capitol.

All members were present except:     Rep. Herman Dillon, Excused  
  Rep. Phyllis Gilmore, Excused

Committee staff present:     Dennis Hodgins, legislative Research Department  
  Arden Ensley, Revisor of Statutes  
  Donna Luttjohann, Committee Secretary

Conferees appearing before the committee: Carol Williams, Governmental Standards and Conduct

Others attending: See attached list

Chairman Dawson called the Committee's attention to the minutes of February 9, 14, 15, 16, 17, 21, 22, 23 and 24 which they were provided copies. She asked them to review them and approval would be discussed at the conclusion of the meeting.

The Chairman opened the public hearing on SB 73 regarding the penalties for violation of campaign finance act.

Carol Williams was recognized by the Chair as a proponent of the bill. She testified the need for this bill is to prevent people who have not filed campaign finance reports from filing for candidacy until the reports are made available. See Attachment 1.

Chairman Dawson closed the public hearing on SB 73.

Discussion and action from the Committee on SB 73 was requested by the Chairman. Rep. Chronister made a motion to recommend the bill be favorably passed. It was seconded by Rep. Benlon. The motion carried. Rep. Haley requested he be recorded as abstaining from the vote.

The Chairman brought the Committee's attention to the minutes as described earlier. Rep. Toplikar recommended the minutes of February 21, 1995, be changed by making Pete McGill speaking to HB 2411 as neither an opponent or proponent. Agreement by the Committee was reached. Rep. O'Connor made a motion to accept the minutes as corrected. It was seconded by Rep. Horst. The motion carried.

The Chairman adjourned the meeting at 9:45 a.m.

The next meeting is scheduled for Tuesday, March 8, 1995, at 9:00 a.m. in Room 521-S of the Capitol.





## KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Testimony before House Governmental Organization and Elections  
Senate Bill 73  
March 7, 1995  
by Carol Williams

Senate Bill 73, which is before you this morning, would amend K.S.A. 25-4181, a provision of the Campaign Finance Act. This bill is a recommendation made by the Kansas Commission on Governmental Standards and Conduct in its 1994 Annual Report and Recommendations.

Under current law, any individual who fails to pay any civil fine which is assessed or who fails to file any report required to be filed under the Campaign Finance Act is not eligible to become a candidate for state or local office until such fine has been paid or such report has been filed. Since this provision became law in 1991 there is only one individual who has been assessed a civil fine. Civil fines are levied against individuals who have intentionally violated the Campaign Finance Act. Civil fine amounts can range from \$5000 for the first violation to \$15,000 for the third and each subsequent violations.

The Commission would like to see individuals precluded from filing for state or local office who have not paid civil penalties which have been assessed. Since 1991, 17 individuals have not paid the civil penalties assessed against them for failing to file campaign finance reports in a timely manner. On June 10, 1994, two individuals who had outstanding civil penalties filed for state office. One of these individuals has since failed to file the three reports required to be filed in the 1994 election cycle. He currently has new civil penalties amounting to \$900.

SB73 would amend K.S.A. 25-4181(b) by providing that "no individual who has failed to pay any **civil penalty** or civil fine assessed, or failed to file any report required to be filed, under the campaign finance act, unless such **penalty** or fine has been waived or is under appeal, shall be eligible to become a candidate for state office or local office..."

The Senate Committee on Elections amended this bill to require the Commission to notify both the candidate and the treasurer prior to the assessment of any civil fine or penal

The Commission urges your support of SB73

House G.O. and Elections  
3-7-95  
Attachment 1