

Approved: 3-15-95
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS, CONGRESSIONAL AND LEGISLATIVE APPORTIONMENT & GOVERNMENTAL STANDARDS .

The meeting was called to order by Chairperson Sen. Janice Hardenburger at 1:30 p.m. on March 9, 1995 in Room 529-S of the Capitol.

All members were present except: Senator Martin, Excused

Committee staff present: Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Stacey Soldan, Committee Secretary

Conferees appearing before the committee: Carol Williams, Kansas Commission on Governmental Standards and Conduct
Elizabeth Ensley, County Clerks Assoc.
Brad Bryant, Secretary of State's Office
Sondra Solander, Woodson County Clerk

Others attending: See attached list

SB 290-- Relating to election campaign finance

Senator Hardenburger opened discussion of **SB 290**. She stated that **SB 290** sponsor is Governor Bill Graves. **SB 290** would extend the provision that no contribution could be made to state officers elected on a statewide basis, candidates for state officers elected on a statewide basis or candidate committee for any such officer or candidate after January 1 and prior to May 15. That applies to legislators presently and this would extend it to the five state offices.

Senator Brady made a motion and was seconded by Senator Bond to move **SB 290** favorably out of committee and place it on the consent calendar. The motion carried with Senator Parkinson voting no.

HB 2122--Relating to state governmental ethics; defining certain terms; concerning the filing of reports by lobbyists

Carol Williams, Kansas Commission on Governmental Standards and Conduct, appeared before the committee to testify on **HB 2122**. (attachment 1) She stated that **HB 2122** was recommended in the Commission's 1994 Annual Report and Recommendation. She stated that without a specific definition for the word "candidate", this term has been subject to many different interpretations by individuals reviewing the conflict of interest statutes. She also stated that **HB 2122** was amended on the floor of the House to permit a lobbyist to file an affidavit of exemption from filing lobbyist employment and expenditures reports if the lobbyist does not spend more than \$100 for lobbying in each reporting period. Kansas Commission on Governmental Standards and Conduct does not have a position on this. A Committee discussion followed.

The hearings were closed on **HB 2122**.

Senator Brady made a motion to remove the House Committee of The Whole's amendment (section 2) and move the bill, as amended, out of committee. The motion was seconded by Senator Wisdom. The motion carried.

HB 2222 Relating to elections; concerning election boards

Elizabeth Ensley, County Clerks' Association, appeared before the committee to testify on **HB 2222**. (attachment 2) She briefly discussed **HB 2222** and stated the need to have a two member election board. This would apply only to sparsely populated areas. **HB 2222** also updates the current law to conform to changes made a year ago which allows for smaller election boards. An amendment made on the House floor would exempt board workers from unemployment insurance if they made less than \$1,000.

Sondra K. Solander, Woodson County Clerk, appeared before the committee to testify on HB 2222. (attachment 3) She testified that many times it is not possible to appoint a three member election board. She supports HB 2222 and stated that Woodson County has already reduced precincts from fifteen to nine; further reductions were not feasible.

Brad Bryant, Secretary of State's office, appeared before the committee to testify on HB 2222. (attachment 4) He stated the office of the Secretary of State supports this bill and it would save money without compromising the integrity of the election.

Senator Clark made a motion to move HB 2222 favorably out of committee. The motion was seconded by Senator Ranson. The motion carried.

The meeting adjourned at 2:25 p.m.

The next meeting is scheduled for March 13, 1995.



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Testimony Before Senate Committee on Elections, Congressional and
Legislative Apportionment and Governmental Standards
House Bill 2122
By Carol Williams
March 9, 1995

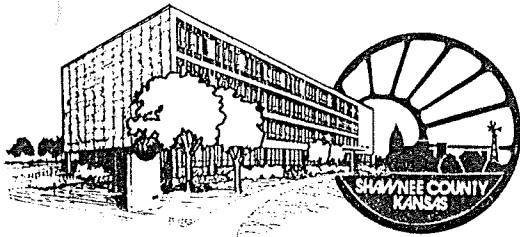
House Bill 2122 amends K.S.A. 46-221, a provision of the State Governmental Ethics Laws. This bill is a recommendation made by the Kansas Commission on Governmental Standards and Conduct in its 1994 Annual Report and Recommendations.

Currently, reference is made throughout the state conflict of interest statutes to the term "candidate", yet this term is not defined in the conflict of interest statutes. Without a definition for the word "candidate", this term has been subject to many different interpretations by individuals reviewing the conflict of interest statutes.

The Commission recommends the term "candidate" as defined in the Campaign Finance Act be added to the definition section of the State Governmental Ethics Laws. "Candidate" on lines 34-41 of HB 2122 would be defined as "an individual who (a) appoints a treasurer or a candidate committee, (b) makes a public announcement of intention to seek nomination or election to state office, (c) makes any expenditure or accepts any contribution for the purpose of influencing such person's nomination or election to any state office, or (d) files a declaration or petition to become a candidate for state office".

HB 2122 was amended on the floor of the House to permit a lobbyist to file an affidavit of exemption from filing lobbyist employment and expenditures reports if the lobbyist does not spend more than \$100 for lobbying in each reporting period. The Commission does not have a position on the amendment to the bill.

The Commission does urge your support of section one of HB 2122.



Shawnee County Commissioner of Elections

Elizabeth Ensley
Election Commissioner
Norine Staab
Asst. Election Commissioner

911 S.W. 37th, Suite A
Topeka, Kansas 66611-2378
(913) 266-0285

DATE: March 8, 1995

TO: The Honorable Senator Janice Hardenburger, Chairman
Elections, Congressional and Legislative
Apportionment and Governmental Standards

FROM: Elizabeth Ensley, Election Comm Chairman
County Clerks' Association

RE: HB 2222 CONCERNING ELECTION BOARDS

House Bill No. 2222 accomplishes several things.

FIRST, this bill responds to areas of the state where there are large, sparsely populated voting areas. Many times, it is not possible to appoint a three member board. The alternative is to not open a polling place in that area.

VOTERS WOULD BE ENCOURAGED TO VOTE - if they had a voting place in their community. Driving long distances to vote only discourages voters.

TWO MEMBERS OF OPPOSITE POLITICAL PARTIES ARE ADEQUATE to protect against fraud and the appearance of fraud.

PUBLIC SCRUTINY IS THE BEST PROTECTION - This bill recognizes the dangers of fraud in the voting place by making public any time that ballots are not accompanied by both members of the board.

SECONDLY, HB 2222 updates current law to conform to changes made a year ago which allows for smaller election boards.

MINIMUM NUMBER OF BOARD WORKERS - Since the public signs their own name, the two clerk positions are no longer necessary. Current law uses the size of the election board (not voter turnout) to determine if a portion of the board can start counting ballots during the day.

THIRDLY, an amendment on the floor of the house exempts board workers from unemployment insurance which should clear up a gray area.

Thank you for your time and consideration.

Senate Elections
3-9-95
Attachment 2



Office of
Woodson County Clerk
Court House - Room 103

105 West Rutledge - Yates Center, Kansas 66783-1497

Sondra K. Solander, County Clerk

DATE: March 09, 1995

TO: The Honorable Senator Janice Hardenburger, Chairman
Senate Committee on Elections, Congressional and Legislative
Apportionment and Governmental Standards

FROM: Sondra K. Solander, Election Committee Member
Kansas County Clerks' Association

RE: HB 2222 CONCERNING ELECTION BOARDS

House Bill No. 2222 responds to precincts of the state where there are large sparsely populated voting areas.

Many times it is actually NOT possible to appoint a three member election board. Typically this occurs in the far corners of the County where voters are required to drive miles and miles to be able to vote. The board workers that were always relied on are elderly and simply no longer available. The younger population have other employment commitments that make them unavailable to be election board workers. Thus, they are faced with losing their polling place. Woodson County has already reduced precincts from fifteen to nine. Further reductions are simply not feasible.

As County Clerk and County Election Officer we are elected by the entire County. We do not want to discourage voter turnout. The sparsely populated areas should not be required to drive long distances to vote. It is important to stress the point that EVERY VOTE COUNTS!

Thank you for your support.

Ron Thornburgh
Secretary of State



2nd Floor, State Capitol
300 S.W. 10th Ave.
Topeka, KS 66612-1594
(913) 296-2236

STATE OF KANSAS

Senate Committee on Elections, Congressional and Legislative Apportionment and Governmental Standards

Testimony on HB 2222

Brad Bryant, Deputy Assistant Secretary of State
Elections and Legislative Matters

March 9, 1995

Madam Chair and Members of the Committee:

Thank you for the committee's consideration of HB 2222. The office of the Secretary of State urges the committee to support this legislation and recommend it favorably for passage.

This bill has two main provisions:

(1) it will allow county election officers in rural areas to reduce the size of some election boards to two members; and

(2) it will allow election boards consisting of only five or six members, instead of seven, to split into receiving and counting boards during the time the polls are open on election day.

Our office supports this legislation for two reasons:

(1) it will allow county election officers to save money without compromising the efficiency or integrity of the election; and

(2) it will reduce the difficulty of finding and appointing enough good election board workers in rural areas where there is often a shortage of qualified persons.

Our office recommends the committee pass HB 2222. Thank you.

Corporations (913) 296-4564
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Elections (913) 296-4561
Administration (913) 296-2236
FAX (913) 291-3051

UCC (913) 296-3650
FAX (913) 296-3659

Senate Elections
3-9-95
Attachment 4