

Approved: 2-25-97
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Janice Hardenburger at 1:40 p.m. on February 17, 1997 in Room 529-S of the Capitol.

All members were present.

Committee staff present: Dennis Hodgins, Legislative Research Department
Mike Heim, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Bonnie Fritts, Committee Secretary

Conferees appearing before the committee: Charlie Smithson, Kansas Commission on Governmental Standards and Conduct

Others attending: See attached list

Chairperson Hardenburger asked for approval of the minutes of February 11, 1997.

Senator Lawrence moved to approve the minutes. Senator Becker seconded the motion. The motion carried.

Chairperson Hardenburger opened the hearing on **SB 113**. Staff gave an overview of the bill.

SB 113 **Concerning campaign finance; relating to political advertising**

Charlie Smithson, Legal Counsel, testified as a proponent saying this bill is a recommendation made by the Commission. He said the problem with the bill is that "person" is defined to include just about every entity in existence and the Commission has had a difficult time in identifying the individuals behind these advertisements. This identification is necessary for the filing of reports. The Commission is requesting that the word "person" be changed to "individual" to aid the Commission in getting the names of people who need to be filing disclosure reports. He also testified this would not apply to individuals spending less than \$100 on any advertisement (Attachment 1). Mr. Smithson urged the committee to pass this bill out favorably.

Chairperson Hardenburger closed the hearing on the bill and opened the hearing on **SB 115**.

SB 115 **Concerning campaign finance; concerning political advertising**

Charlie Smithson also testified in support of this bill. He stated that adding the "advertisement" disclaimer requirement to brochures, fliers and other political fact sheets would aid the Commission in identifying the individuals responsible for them. The Commission is recommending that the word "person" be changed to "individual" (Attachment 2). He asked for favorable recommendation of the bill.

Chairperson Hardenburger closed the hearing on the bill.

Senator Becker made a motion to combine SB 113 and SB 115 with the amendments. Senator Steineger seconded the motion. The motion carried.

Senator Huelskamp made a motion to change the word "or" to "and" in lines 27 and 30 of the bill. Senator Steineger seconded the motion. The motion carried.

Senator Becker moved to pass the bill out favorably as amended. Senator Huelskamp seconded the motion. The motion passed.

Chairperson Hardenburger asked the committee to take action on **SB 146**.

SB 146

**Concerning cities; relating to the removal or destruction of weeds;
relating to the assessment and collection of costs thereof**

Senator Steineger made a motion to remove the word "noxious" from the bill and to change the word "shall" to "may" throughout the bill. Senator Becker seconded the motion. The motion carried.

Senator Lawrence moved to pass the bill as amended. Senator Huelskamp seconded the motion. The motion passed.

The meeting was adjourned at 2:15 p.m.

The next meeting is scheduled for February 18, 1997.

SENATE ELECTIONS AND LOCAL GOVERNMENT
COMMITTEE GUEST LIST

DATE: 2/17/97

NAME	REPRESENTING
Kelly Salisbury	KCGSC
Hans & Lunge	Ks Assn. B. Casters
John Reinhart	KPA
Brad Bryant	Sec. of State.
Len Moler	League of KS Municipalities
Doug Farmer	DOB.
Lisa Meyer	KS Gov. Consulting
Anne Spess	Peterson Public Affairs Group

**KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT****Testimony before Senate Elections Committee****SB 113****February 17, 1997****By, Charlie Smithson, Legal Counsel**

SB 113, which is before you this afternoon, amends K.S.A. 25-4156, a provision of the Campaign Finance Act. This bill is a recommendation made by the Commission.

Currently, K.S.A. 25-4156 requires any political advertisement in a newspaper, magazine, other periodical, radio or television to have the "advertisement" or "adv" disclaimer along with the name of a responsible person for the advertisement.

The problem is that "person" is defined to include just about every entity in existence. Therefore, the Commission has had a difficult time in identifying the individuals behind these advertisements. This identification is necessary for the filing of reports.

Thus, the Commission is requesting that the word "person" be changed to "individual". This will greatly aid the Commission in getting the names of people who need to be filing disclosure reports.

Section (b)(2) has been added to the bill due to constitutional concerns. A court case in Ohio two years ago stated that individuals who expend less than what the independent expenditure limit is for a state (in Kansas \$100), are not required to file reports or make any disclosures. Thus, individuals expending less than \$100 would not have to place a disclaimer on any advertisements.

The Commission urges your support and passage of SB 113.

SENATE ELECTIONS + LOCAL GOVERNMENT
2-17-97
ATTACHMENT 1



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Testimony before Senate Elections Committee

SB 115

February 17, 1997

By, Charlie Smithson, Legal Counsel

SB 115, which is before you this afternoon, amends K.S.A. 25-4156, a provision of the Campaign Finance Act. This bill is a recommendation made by the Commission.

Currently, K.S.A. 25-4156 requires any political advertisement in a newspaper, magazine, other periodical, radio or television to have the "advertisement" or "adv" disclaimer along with the name of a responsible person for the advertisement.

SB 115 would add this disclaimer requirement to brochures, fliers and other political fact sheets. This would aid the Commission in identifying who those persons are that need to file the required reports.

This bill also changes the word "person" to "individual". Since "person" is defined to include just about every entity in existence, the Commission has had a difficult time in identifying the individuals behind these advertisements. This identification is necessary for the filing of reports.

Thus, the Commission is requesting that the word "person" be changed to "individual". This will greatly aid the Commission in getting the names of those individuals and groups that need to file reports for disclosure purposes.

Section (C)(2) has been added to the bill due to constitutional concerns. A court case in Ohio two years ago stated that individuals who expend less than what the independent expenditure limit is for a state (in Kansas \$100), are not required to file reports or make any disclosures. Thus, individuals expending less than \$100 would not have to place a disclaimer on any advertisements.

The Commission urges your support and passage of SB 115.

SENATE ELECTIONS + LOCAL GOVERNMENT
2-17-97
ATTACHMENT 2