

Approved: 3-12-97
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 March 5, 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:

Others attending: See attached list

Chairperson Hardenburger distributed a summary of Senate Bills that have passed out of committee (Attachment 1). She also stated that two Senate Bills have been returned to committee for further hearings.

Staff gave an overview of the House Bills that have been referred to this committee.

The meeting was adjourned at 2:05 p.m.

The next meeting is scheduled for March 6, 1997.

SENATE ELECTIONS AND LOCAL GOVERNMENT
COMMITTEE COMMITTEE GUEST LIST

DATE: 3/5/97

NAME	REPRESENTING
Nancy Becker	
Anne Spiess	Peterson Public Affairs Group

SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

CONCERNING STATE GOVERNMENTAL ETHICS

SENATEBILL 18: Relates to financial disclosures by state employees engaged in economic development activities. Requires officers, employees, and board members of KTEC, Kansas, Inc., Department of Commerce and Housing, and designated unclassified faculty and staff involved in economic development in the Regents' institutions to submit the state's disclosure form on substantial interest to the Commission on Governmental Standards and Conduct.

CONCERNING ELECTION CAMPAIGN FINANCE

SENATEBILL 112: Relates to campaign finance. The bill would place new limitations on solicitation and acceptance of contributions by anyone elected to a state office on a statewide basis and candidates for those offices and their candidate committees. The bill would also extend limitations on solicitation and acceptance of campaign contributions by legislators and candidates for election to the Legislature. State party political action committees designated for either chamber of the Legislature and other single-party single chamber PAC would be placed under the same ban. Only campaign contributions from individuals could be made to, or solicited, or accepted by all of the above.

SENATEBILL 113: Relates to campaign finance. The bill would expand the crime of political corrupt advertising of state and local offices to include publication of brochures, fliers, political fact sheets promoting or opposing candidates for nomination or election to state and local elected offices unless the material includes the name of the chairperson of the organization and the name of the individual who is responsible for the advertisement. The same requirement would apply to political advertisements in a newspaper or periodical. Disclosure of the name of the individual would not required if less than \$100 was spent within the calendar year. HOUSEBILL 2171 was amended to the bill on the floor of the Senate, which would require the filing and disclosure of certain information from independent groups. The measure would also require registration with the Commission on Governmental Standards and Conduct if the group spent more than \$100 in a calendar year..

SENATEBILL 314: Relating to the use of public funds. Currently, it is illegal to utilize public money, property or compensated time for the purpose of endorsing a political candidate or influencing that candidate's race. An existing statute speaks to this issue with the exception that unified school districts having less than 35,000 pupils are not subject to this campaign finance law. Wichita is the only district with more than 35,000 students. Senate Bill 314 simply sets out language that makes this kind of campaign activity unlawful in all unified school districts. An exemption for the use of facilities for public forum and debate is provided if all candidates are invited.

SENATE ELECTIONS +
LOCAL GOVERNMENT
3-5-97
ATTACHMENT 1

CONCERNING ELECTIONS

SENATEBILL 145: Relating to advance voting. Advance voting has been in effect for only a year and a half, and technical changes were necessary to correct some procedures. Senate Bill would allow the transmission of the signed application for an advanced ballot by facsimile. The bill would also allow a voter who changes their name by marriage, divorce or legal proceeding to apply for an advance voting ballot upon signing an affidavit confirming the change. The third amendment would allow a voter who has received an advance voting ballot to vote a regular ballot on election day at the precinct polling place where the voter resides if the voter first returns the advance voting ballot to a judge or clerk at the precinct polling place; thereupon the judge or clerk shall void such advance voting ballot. The Bill further provides that a voter applying for an advance voting ballot may affiliate the same as a voter at the polling place.

Senate Bill 145 would also provide for an application for an advance voting ballot to be filed by a sick, physically disabled or illiterate voter or by a person rendering assistance to such voter to be filed during the regular advance ballot application periods until the close of the polls on election day. Any such voted ballot shall be transmitted to the county election officer before the close of the polls on election day.

The bill also would require that no person shall intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter. When an application for an advance voting ballot has been filed, the bill requires the county election officer to transmit the advance voting ballot to the voter at one of the following addresses as specified by the voter on the application: (a) the voter's residential address or mailing address as indicated on the registration list; b) the voter's temporary residential address, or c) a medical care facility, psychiatric hospital, hospice or adult care home where the voter resides.

SENATEBILL 323: Concerns County Clerks and Election Commissioners; relating to qualifications for office. The bill would prohibit county clerks, election commissioners and the secretary of state to hold office in a political party, or serve as a chairperson or treasurer of a candidate's campaign for any city, county, state or national office. This provision would not apply to county clerks in counties in which an elections commissioner has been appointed. The bill was amended to grandfather in the Secretary of State and the Saline County Clerk to serve out terms in party positions until the end of their terms.

CONCERNING OPEN RECORDS

SENATEBILL 116: Relates to records open to the public and to the access of certain material. Senate Bill 116 would prohibit the use of any list of names or addresses contained in or derived from the records or information for the purpose of solicitation of gifts or donations.

CONCERNING STATE AGENCIES

SENATEBILL 58: Concerns the Kansas Development Finance Authority (K DFA); relating to the board of directors. Eliminates the requirement that the secretary of commerce and housing serve on the K DFA board of directors as a statutory member.

SENATEBILL 190: Concerns the Real Estate Appraisal Board. Relates to the state certified and licensed real property appraisers and the board actions on licenses and certificates. The bill would expand the authority of the Real Estate Appraisal Board by allowing the Board to place conditions or limits on an appraiser's certificate or license, in addition to revoking or suspending the certificate or license, which is current law. The bill would also allow the Board to take disciplinary action against an appraiser if there were a violation of either the Kansas State Certified and Licensed Real Property Appraisers Act or the Uniform Standards of Professional Appraisal Practice in another state; or if an appraiser has received an order from any federal government agency which prohibits that individual from performing appraisals for federally-related transactions. In addition, the bill would allow the Board to verify by inspecting appraisal records, reports, and supporting data the appraisals and experiences of individuals who are applicants, licensees, or certificate holders.

SENATEBILL 267: Relates to Publication of documents in Kansas Register. The bill would allow the Secretary of State to destroy the original submitted document for publication in the Kansas Register after a six-month retention period. Existing law requires a certified copy of each filed document for publication to be maintained in its original form or on microfiche for an indeterminate amount of time. The bill would not affect existing law as it relates to the maintenance of the official text of rules and regulations.

CONCERNING COUNTIES

SENATEBILL 133: Concerns certain counties; relating to planning and zoning. The bill would eliminate the 60-90 day comment period currently required by "urban counties" in the state in regard to planning and zoning changes. Johnson County is the only county in the state designated an "urban county" . The measure would make Johnson County laws consistent with time requirements for all other counties in the state which provide a 20-day notice of public hearing to consider amendments to comprehensive plans, zoning regulations and subdivision regulations.

CONCERNING CITIES and COUNTIES

SENATEBILL 33: Relates to the bonding of certain officers. The bill allowed a county upon the request of a governing body of a municipality to provide coverage under the county's blanket surety contract. The municipality would be required to

reimburse the county for their portion of the blanket bond, the cost attributable to the treasurer of the municipality. Provisions for municipalities located in more than one county are defined in the bill. The procedure by which municipalities request coverage shall be established by the board of county commissioners by resolution. Whenever the treasurer of a municipality would be required to purchase any official bond, surety bond or surety contract, the authority would be transferred and conferred upon the board of county commissioners under the bill.

SENATE BILL 144: Relates to the payment of the proceeds of fire insurance policies to cities and counties. The bill establishes the limit of monies to be placed in the city or county account at 15% of all insurance proceeds derived from fire, explosion or windstorm for removal of unsafe structures if the property owner does not act to do the same. The city or county is required to return the monies plus interest if action is not taken against the owner, or if the full amount is not used in the removal of the structure.

SENATE BILL 232: Relates to planning and zoning and the powers and duties for the planning commission. The bill provides the streamlining of planning and zoning procedures. The bill is enabling legislation which will allow planning commissions and governing bodies to adopt these measures if they want them. Local planning commissions would have to vote to adopt the changes with the governing bodies approval. The bill allows a majority of those planning commissioners present and voting at a given meeting to be sufficient to take action on most items. Another change allows more than just two lots to be created from a platted lot by administrative lot split procedures. The bill also simplifies the processes for handling routine planning and zoning actions.

SENATE BILL 256: Concerns law enforcement relating to university police officers and their jurisdiction. The bill extends the jurisdiction of the university police officers within the city and county where the university is located, as necessary to protect the health, safety and welfare of students and faculty of the state educational institution or municipal university with appropriate agreement by the local law enforcement agencies. The agreement shall be approved by the governing body of the city or county and the chief executive officer of the state educational institution or municipal university. An amendment on the floor of the Senate extended the provision to the University of Kansas Medical Center, Kansas City, KS.

CONCERNING CITIES

SENATE BILL 146: Relating to the removal or destruction of weeds and the assessment and collection of costs. The bill would remove from current law the requirement that cities adopt a weed removal policy and notification procedure "each year". The law would still require a weed ordinance to be adopted by cities, but not require it to be adopted and published on an annual basis. The bill was amended

to provide that the first notice option may be permissive to property owners. The bill further clarifies that cities could abate weeds without individual notice when the property owners are not known and when the city does not intend to recoup its costs as a result of this action. The bill also deleted references to "noxious" weeds, so the law would simply cover all weeds to be abated.

CONCERNING TOWNSHIPS

SENATE BILL 205: Relating to townships and the publishing of financial statements.

The bill would exempt townships from publishing their receipts, expenditures and liabilities in the official county newspaper if the total of their expenditures is \$500 or less.

CONCERNING COUNTY TREASURERS

SUB. FOR SENATE BILL 24: Relates to vacancies in the treasurer's office, and to persons eligible to hold office. Provides the process for selection of a county treasurer if the office becomes vacant. County treasurers do not have to be residents of a county in which they serve. A county central committee has been required to name a qualified elector to a vacated position, which requires the naming of a county resident. Changing the requirement to a successor allows them to nominate a person outside of the county who may have been elected to the position before the position was vacated.

SENATE BILL 125: Concerning motor vehicles, relating to the collection of registration and certificate of title fee funds. In 1991, a manual was developed to assist with the Special Auto Fund expenditures collected by the County Treasurers for the Division of Vehicles to use to pay for necessary help and expenses incidental to the administration of duties pertaining to the function of collection of registration and certificate of title fee funds. The guidelines in the manual for the collection procedure were advisory rather than mandatory. Senate Bill 125 will provide for mandatory compliance to the requirements of administering the Special Auto Fund.

SENATE BILL 188: Relates to the registration of vehicles; providing for fees for satellite registration facilities. Senate Bill 188 allows the county treasurer from Johnson, Douglas, Shawnee, Butler, Montgomery, Sedgwick and Saline Counties to charge any applicant for vehicle registration or renewal for registration if the application is made at a satellite registration facility established by the county treasurer. The satellite registration fee may not exceed \$5 per vehicle registration or renewal.