

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Barbara P. Allen at 1:30 p.m. on February 15, 2001 in Room 245-N of the Capitol.

All members were present except:

Committee staff present: Mike Heim, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Ken Wilke, Office of the Revisor of Statutes
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee: Senator Huelskamp

Others attending: See attached list.

The Analysis of Close Races for 1990-2000 Primary and General Elections requested by the committee were handed out. Chairperson Allen informed the committee she planned on possible action on the recount bills next week and this would give the committee a chance study.

Brad Bryant, Deputy Assistant Secretary of State, had requested some results from the 2000 elections back to 1990 and some of them on some years would not have produced any automatic recounts under the provision **SB 256** (Attachment 1).

Hearing on: SB 283 - motor vehicles; notice of impoundment required

Senator Huelskamp testified in support of **SB 283**, stating this bill would provide notification procedures that would notify the owner and lien holder (Attachment 2).

There being no others wishing to testify on **SB 283**, the hearing was closed.

Discussion of bills

SB 218 - relating to provisional ballots

Senator O'Connor made a motion to pass SB 218 favorably, seconded by Senator Clark. The motion carried.

SB 192 - campaign finance; district party committee

On **SB 192** there was amendment offered on page 3, line 39, after the word "committee" add "per congressional district". Senator Schmidt made a motion to adopt the amendment, seconded by Senator O'Connor. The motion carried.

Senator Schmidt made a motion to move SB 218 favorably as amended. Senator Jackson seconded the motion. The motion carried.

Chairperson Allen requested Carol Williams to submit to the committee the contributions and expenditures for Congressional Committees.

SB 108 - campaign finance; requirements for electronic filing of reporting campaign contributions

The Governor's office has worked the Ken Wilke, Revisor of the Office of Statutes, and has a balloon for the committee consider.

CONTINUATION SHEET

February 15, 2001

Ken Wilke, Revisor of the Office of Statutes explained the balloon. This balloon would basically impose requirements of electronically filing that would be necessary if the candidate received \$30,000 in one reporting period, reports dealing with 11 days deals in contribution of aggregate \$100 or more as requested by the governor's office, and other changes noted on balloon (Attachment 3).

Chairperson Allen noted there needed to be a technical amendment on line 42 "July 1, 2002" should read January 10, 2002.

The meeting adjourned 2:30 p.m.

The next meeting is scheduled for February 19, 2001.

Analysis of Close Races
1990 - 2000 Primary and General Elections

2000 GENERAL ELECTION

Office	Votes	Percent	Difference
Senate 25th			
Jean Schodorf (R)	9,113	50.26%	0.53%
Doug Johnston (D)	9,017	49.74%	
Total	18,130		

Office	Votes	Percent	Difference
House 8th			
Jerry Williams (D)	3,770	50.02%	0.04%
Bob Ames (R)	3,767	49.98%	
Total	7,537		

2000 PRIMARY ELECTION

Office	Votes	Percent	Difference
House 47th Dem.			
Lana Leach (D)	357	40.16%	0.56%
Bruce Hanson (D)	352	39.60%	
Lisa Whitehair Carver (D)	180	20.25%	
Total	889		

1998 GENERAL ELECTION

NONE

1998 PRIMARY ELECTION

Office	Votes	Percent	Difference
House 38th Rep.			
Eve Kemple (R)	495	33.56%	0.68%
Brad Ratliff (R)	485	32.88%	
James Reitemeier (R)	380	25.76%	
Bill Beal (R)	115	7.80%	
Total	1,475		

1996 GENERAL ELECTION

NONE

1996 PRIMARY ELECTION

Office	Votes	Percent	Difference
House 70th Rep.			
Don Dahl (R)	2,126	50.32%	0.64%
David Mueller (R)	2,099	49.68%	
Total	4,225		

Senate Elec & Loc. Gov
2-15-01

Attachment 1

Analysis of Close Races
1990 - 2000 Primary and General Elections

1994 GENERAL ELECTION

Office	Votes	Percent	Difference
House 79th			
Joe Shriver (D)	3,038	50.01%	0.02%
Danny Jones (R)	3,037	49.99%	
Total	6,075		

1994 PRIMARY ELECTION

Office	Votes	Percent	Difference
Attorney General Dem.			
Marvin Barkis (D)	54,803	37.54%	0.26%
Richard Schodorf (D)	54,421	37.27%	
Jerry Shelor (D)	36,778	25.19%	
Total	146,002		

1992 GENERAL ELECTION

Office	Votes	Percent	Difference
Senate 5th			
Al Ramirez (R)	11,941	44.85%	0.30%
B.D. Kanan (D)	11,860	44.54%	
Robert M. Murphy (L)	2,826	10.61%	
Total	26,627		

Office	Votes	Percent	Difference
Senate 21st			
Janice Hardenburger (R)	14,814	50.10%	0.19%
D. Eric Stonecipher (D)	14,757	49.90%	
Total	29,571		

Office	Votes	Percent	Difference
House 44th			
Barbara W. Ballard (D)	6,691	48.90%	0.56%
Brian S. Kubota (R)	6,615	48.34%	
Jay D. Germano (L)	377	2.76%	
Total	13,683		

Office	Votes	Percent	Difference
House 53rd			
Denise Everhart (D)	5,115	50.29%	0.57%
Cindy Haynes (R)	5,057	49.71%	
Total	10,172		

Analysis of Close Races
1990 - 2000 Primary and General Elections

1992 PRIMARY ELECTION

Office	Votes	Percent	Difference
House 90th Dem			
Robbie Blackburn (D)	538	34.87%	0.06%
John Lenker (D)	537	34.80%	
Jack C. Pew (D)	468	30.33%	
Total	1,543		

1990 GENERAL ELECTION

Office	Votes	Percent	Difference
Attorney General			
Bob Stephan (R)	386,989	50.28%	0.56%
Bert Cantwell (D)	382,691	49.72%	
Total	769,680		

Office	Votes	Percent	Difference
House 15th			
Ruth Ann Hackler (D)	2,255	50.04%	0.09%
John M. Toplikar (R)	2,251	49.96%	
Total	4,506		

Office	Votes	Percent	Difference
House 59th			
Elaine L. Wells (R)	3,476	50.01%	0.03%
Karlen Christesen-Wellman (D)	3,474	49.99%	
Total	6,950		

Office	Votes	Percent	Difference
House 71st			
Eloise Lynch (D)	3,601	50.21%	0.42%
Nancy Macy (R)	3,571	49.79%	
Total	7,172		

Office	Votes	Percent	Difference
House 93rd			
Rick Bowden (D)	3,328	50.07%	0.14%
Todd Tiaht (R)	3,319	49.93%	
Total	6,647		

Office	Votes	Percent	Difference
House 120th			
Fred Gatlin (R)	4,098	50.19%	0.38%
Bill Kirk (D)	4,067	49.81%	
Total	8,165		

1990 PRIMARY ELECTION

NONE



TOPEKA

SENATE CHAMBER

Committee Assignments

AGRICULTURE, VICE CHAIRMAN
 ELECTIONS & LOCAL GOVERNMENT
 INFORMATION TECH., VICE CHAIRMAN
 NATURAL RESOURCES
 REAPPORTIONMENT
 WAYS & MEANS

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Testimony on Senate Bill 283 before Senate Elections & Local Government Committee
 by Senator Tim Huelskamp (prepared by Chris Neal) – February 14, 2001

15

Madam Chairman and members of the committee: It is a pleasure to be here this afternoon to testify on SB 283. I would like to describe first the incident that led to the introduction of this bill.

Early last month I received a phone complaint from a constituent of mine, Ms. Ellie Moore. Ellie is the owner/operator of Moore's Used Cars in Liberal and periodically sells vehicles on credit. I believe it was back in December when she received notice that one of vehicles on which she was a lienholder (a Mercury Sable) had been seized approximately forty-five days prior by the local police department. Authorities had suspected the vehicle's owner was in possession of narcotics.

Due to the dearth of space at the city impound facility at the time, the car was stored at a privately owned (and more expensive) storage facility. And then, the city did not notify Ms. Moore as to the vehicle whereabouts for approximately 45 days. As a result, once the car was available for release, the charges surrounding the incident have surpassed the value of the Mercury Sable.

In examining current statutory law, we could not discover any existing law which pertains to the notification of owners or lienholders as to the seizure of property. In researching this matter my office first contacted the Kansas Bureau of Investigation – we were told to hire an attorney. Then it was on to the Seward County Attorney's Office – we're not sure, call the local police department. And there as well – we do not know. When asked at each turn, no one could provide a definitive answer as to how a situation such as the one just outlined should be handled.

Our research, moreover, has discovered that if such a situation were to have arisen just three miles to the south in the State of Oklahoma, a "courtesy" law exists which dictates that the owner and lienholder must be notified of the impoundment within seven days.

In conclusion, I apologize that Ellie could not make the 350-mile trip here today to testify. We ask that you provide some simple notification procedures for both owners and lienholders when a city or county impounds a vehicle. Madam Chairman, I will be happy to stand for questions on SB 283.

Senate Elec + Loc. Gov
 2-15-01
 Attachment 2

SENATE BILL No. 108

By Committee on Elections and Local Government

1-24

Senate Elec + Loc Gov
2-15-01
Attachment 3

9 AN ACT concerning campaign finance; establishing requirements for
10 electronic filing of reporting of campaign contributions.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) From and after January 1, 2002, every treasurer for a
14 candidate for statewide office shall file ~~all~~ reports of campaign contribu-
15 tions required by K.S.A. 25-4148, and amendments thereto, with the sec-
16 retary of state by electronic means as prescribed by this act.

17 (b) (1) In addition to the reports required by K.S.A. 25-4148, and
18 amendments thereto, there shall be a report concerning campaign con-
19 tributions received during the period commencing 11 days before a pri-
20 mary or general election at which a statewide officer is to be elected and
21 ending upon the day of such election, the report shall contain the name
22 and address of each person who has made one or more contributions in
23 an aggregate amount or value in excess of \$50. Such report shall be filed
24 with the secretary of state on or before the close of the next business day
25 in which any such contribution is received. The report shall contain the
26 amount and date of such contribution, including the name and address
27 of every lender, guarantor and endorser when the contribution is in the
28 form of an advance or loan. Reports required by this section shall be in
29 addition to and not in lieu of any other report required by law.

30 (2) All other reports concerning reporting of campaign contributions
31 for statewide office shall be filed within the time period prescribed by
32 law.

33 Sec. 2. No provision of this act shall preclude the filing by electronic
34 means any other report required by the campaign finance act.

35 Sec. 3. (a) The secretary of state shall adopt rules and regulations
36 establishing a program for the electronic filing of any report required by
37 this act. Such program may contain criteria for:

- 38 (1) Computer hardware, software or other equipment to be used; and
- 39 (2) any other matters necessary to implement the provisions of this
40 act.

41 (b) The rules and regulations required by this section shall be prom-
42 ulgated, published and become effective no later than July 1, 2002.

43 Sec. 4. The provisions of this act shall be part of and supplemental

receiving contributions in excess of \$30,000 during the reporting period

such

in an aggregate amount of \$100 or more

such

also

and in the manner