

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 20, 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: Woody Moses, Kansas Aggregate Producers  
Randy Allen, Executive Director, KS Assn. Of Counties

Others attending: See attached list.

**Discussion of bills**

Chairperson Allen handed out the chart requested from Governmental Ethics Commission in relation to **SB 192**, the congressional committee party bill (Attachment 1).

**SB 171 - state aircraft travel by the Governor**

Senator Schmidt made a motion to amend SB 171 as described in balloon (Attachment 2), seconded Senator Jackson The motion carried

Senator Schmidt made a motion to report a Sub SB 171 favorable for passage and the substitute be identical to SB171 as amended by committee. Senator Jackson seconded the motion. The motion carried.

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

Senator Schmidt made a motion to amend SB 108 with balloon (Attachment 3), and additional date changes, "line 13, change January 1, 2002 to January 10, 2002, and line 42 change July 1, 2002 to January 10, 2002". Senator seconded the motion. The motion carried.

Senator Brownlee made a motion to amend the bill as amended with additional change on "line 23 change \$100 to \$500". Senator Gilstrap seconded the motion.

Senator O'Connor made a substitute motion to table as amended, seconded by Senator Clark. A division was called with a count of 3 Yeas and 6 Nays. The motion failed.

Senator Schmidt made a motion to move SB 108 favorable as amended. Senator Jackson seconded the motion. The motion carried.

**SB 256 - elections, requiring mandatory recount under specified conditions**

Senator Schmidt made a motion to amend line 13 of SB 256 after "the" include "primary or" and line 21 a technical error KSA 3104 should read KSA 3109. Senator Jackson seconded the motion. The motion carried.

Senator Gilstrap made a motion to amend SB 256, line 41 (e), strike "county" and insert "state". Senator Schmidt seconded the motion. A division was called with 4 Yeas and 3 Nays. The motion on the amendment failed.

CONTINUATION SHEET

February 20, 2001

Senator Schmidt made a motion to report **SB 256** as amended favorable for passage. Senator Jackson seconded the motion. A division was called with a count of 4 Yeas and 5 Nays. The motion failed.

**SB 126 - relating to recounts Secretary of State**

Senator Clark made a motion to amend **SB 126** page 3 line 4 strike the “;” after requested and add “.” The language following would read “If the candidate cannot be reached then the state chairperson would have to be notified”. Senator Huelskamp seconded the motion. The motion carried

Senator Brownlee made a motion to amend the amended **SB 126** on page 2 line 28 to include U.S. House races to the bill. Senator Clark seconded the motion. The motion carried.

Senator Brownlee made a motion to report **SB 126** favorably as amended. Senator O’Connor seconded the motion. The motion carried

**SB 210 - concerning counties; relating to public bids and purchases**

Woody Moses, Kansas Aggregate Producers, had been requested by committee at the hearing on February 14, 2001 to bring to committee clarifying language to amend **SB 210**. The new language was presented to committee (Attachment 4).

Randy Allen, Executive Director, Kansas Association of Counties, presented language to (c) of **SB 210** (Attachment 5).

**SB 283 - relating to the seizure of automobiles by cities and counties**

Senator Huelskamp requested the revisor’s office to draft a balloon to amend **SB 283**. The balloon added a new section 2 (Attachment 6).

Senator Jackson made a motion to amend **SB 283** with the balloon presented by Senator Huelskamp, and pass **SB 283** amended. Senator Brownlee seconded the motion. The motion carried.

Senator Clark made a motion to pass **SB 283** favorably as amended, seconded by Senator Jackson. The motion carried.

The meeting adjourned 2:30 p.m.

The next meeting is scheduled for February 27, 2001.

**SENATE  
ELECTIONS AND LOCAL GOVERNMENT  
GUEST LIST**

Date Feb 20, 2001

Randy Allen	Kansas Association of Counties
Vera Gennaway	FBC
Ed Miller	GB
Terry Zumburum	Harshmen Construction
Warren Harshmen	Harshmen Constructor
Curt Kitson	Monarch Cement Co.
E.L. "Woody" Moses	Ks. Agg Prod Assn.
Kenneth Platt	Martin Marietta Aggregate
Daniel E. Quisenberry	Martin Marietta Aggregates
Jennifer Alkim Iulko	DeFA
Brad Bryant	Sec. of state
Natalie Haag	Governor's office
Bruce Dimmitt	Independent

**GOVERNMENTAL ETHICS COMMISSION**

## Memorandum

TO: Senate Elections Committee  
 FROM: Carol Williams  
 DATE: February 15, 2001  
 RE: Contributions and Expenditures for Congressional Committees

There are four congressional committees registered. Following are the total receipts and expenditures reported by these committees from January 1 through December 31, 2000:

	<u>Receipts</u>	<u>Expenditures</u>	<u>Ending Balance</u>
First District Democratic Party	\$3179	\$3120	\$1491
Fourth Congressional District Republican Committee	930	4551	718
Kansas Republican Party, Third Congressional District	6560	9082	948
Second District Republican Party	5009	4551	718

Senate Elec + Loc Gov  
2-20-01  
Attachment 1



# Kansas Governmental Ethics Commission

109 SW 9th, Suite 504

Topeka, KS 66612

Ofc (785) 296-4219

Fax (785) 296-2548

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## CAMPAIGN CONTRIBUTION LIMITATIONS

		PER ELECTION CYCLE					PER CALENDER YEAR			
		Statewide Candidates	State Senate Candidates	House of Representatives Candidates	Judicial & State School Board Candidates	Local Candidates	Political Action Committees	Recognized Party Committees	State Party Committees	County Central Committees
RECIPIENT:	DONOR:									
Political Action Committees		\$2,000	\$1,000	\$500	\$500	\$500	No Limit	\$5,000	\$5,000	\$5,000
State Party Committees		Contested Primary - \$2,000 General Election - No Limit	Contested Primary - \$1,000 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	No Limit	\$5,000	N/A	\$5,000
County Central Committees		Contested Primary - \$2,000 General Election - No Limit	Contested Primary - \$1,000 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	No Limit	\$5,000	\$15,000	\$5,000
Recognized Party Committees		Contested Primary - \$2,000 General Election - No Limit	Contested Primary - \$1,000 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	Contested Primary - \$500 General Election - No Limit	No Limit	\$5,000	\$15,000	\$5,000

Recognized party committees are designated by each state party committee. Each state party committee designates one such committee for the House of Representatives and one for the Senate.



2  
P. 2  
; amending K.S.A. 74-2105 and repealing the existing section

Session of 2001

**SENATE BILL No. 171**

By Senator Adkins

1-31

9 AN ACT concerning the governor; relating to travel on state aircraft.

10  
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. (a) The governor may use any aircraft owned by the state  
13 for personal use including campaigning in support or in opposition to any  
14 candidate for national, state or local office. The governor shall reimburse  
15 the state for personal use of such aircraft owned by the state at a rate  
16 fixed by the secretary of administration.

17 (b) If the governor uses an aircraft owned by the state for a trip made  
18 in part for a public purpose and in part for a personal purpose, the gov-  
19 ernor shall reimburse the state for the portion of the trip attributable to  
20 personal use.

21 (c) The secretary of administration shall adopt policies necessary to  
22 implement the provisions of this section and shall fix, charge and collect  
23 fees for travel by the governor authorized under this section.

(4) 24 Sec. 2. This act shall take effect and be in force from and after its  
25 publication in the statute book.

K.S.A. 74-2105 is hereby amended to read as follows:

~~**74-2105. Principal function of highway patrol; uniforms required, exceptions; security for public officials; superintendent to supervise and manage capitol area security patrol; advise with legislative coordinating council; management functions for bureau of emergency medical services.**~~ (a) ~~The principal function~~ (1) of the Kansas highway patrol shall be enforcement of the traffic and other laws of this state relating to highways, vehicles and drivers of vehicles except as otherwise provided in this subsection (a). The superintendent and members of the highway patrol in performing their duties under this act shall wear badges and uniforms of office. The superintendent may designate members to perform security duties for public officials and other duties as directed by the superintendent. The superintendent may perform duties under this act whether or not wearing a badge and uniform. Such members may serve without uniform and without open display of badges. Officers and employees of the bureau of emergency medical services shall not wear badges and uniforms of office.

(b) In addition to the duties otherwise prescribed by law, the superintendent of the highway patrol shall supervise and manage the capitol area security patrol. In the supervision and management of the duties of the capitol area security patrol in and around the state capitol building, the superintendent of the highway patrol shall advise with the legislative coordinating council.

(c) In addition to other duties, the superintendent of the highway patrol shall provide budgeting, purchasing and related management functions for the bureau of emergency medical services of the Kansas highway patrol as may be provided by law and shall perform other functions and duties pertaining to emergency medical services as may be specified by law.

**History:** L. 1972, ch. 291, § 1; L. 1976, ch. 394, § 1; L. 1984, ch. 244, § 22; L. 1985, ch. 249, § 1; April 25.

(2) *The superintendent shall provide such transportation deemed necessary by the superintendent or his designee for the purpose of providing security for the governor and the governor's family. When the governor elects to travel by state owned vehicle or aircraft for political or personal business and the superintendent has not deemed such transportation necessary for the security of the governor or the governor's family, the governor may use such vehicle or aircraft and reimburse the State of Kansas for its use in an amount determined by the Secretary of Administration.*

Sec. 2. The secretary of administration shall adopt rules and regulations necessary to implement the provisions of paragraph (2) of subsection (a) of section 1 and shall fix, charge and collect fees for travel by the governor or the governor's family authorized under paragraph (2) of subsection (a) of section 1. Such rules and regulations shall be consistent with reimbursement requirements of the federal aviation administration.

Sec.3. K.S.A. 74-2105 is hereby repealed.

Senate Elec + Loc Gov  
2-20-01  
Attachment 2

SENATE BILL No. 108

By Committee on Elections and Local Government

1-24

Senate Elec + Loc Gov  
2-20-01  
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.

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

such

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.

in an aggregate amount of \$100 or more

such

also

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.

and in the manner

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

Sec. 1. The board of county commissioners of any county is hereby authorized to establish or participate in the mining or manufacturing of construction materials for the exclusive use of such county. Establishment of or participation in any such mining or manufacturing operation shall not occur unless: (a) Prior to the establishment of or participation in any such mining or manufacturing operation, the board of county commissioners holds a public hearing to consider the merits of the proposed mining or manufacturing operation;

(b) notice of such public hearing has been published in both the Kansas register and a newspaper having general circulation in the county in which such proposed mining or manufacturing operation is to be established or participated in not less than 20 days prior to the date of such public hearing;

(c) the board of county commissioners shall notify any county resident or taxpayer, as determined by the such county's vendor list, who customarily provides construction materials of the date, time and location of such public hearing. Such notification shall be made by mail not less than 20 days prior to the date of such hearing; and

(d) prior to such hearing, the board of county commissioners has prepared or caused to be prepared a verifiable cost/benefit analysis of the proposed mining or manufacturing operation. Copies of such cost/benefit analysis shall be available at the public hearing for consideration by the board of county commissioners and the public.

Senate Elec + Loc. Gov  
2-20-01  
Attachment 4



Randy Allen

10-1116C. Lease purchase agreements ; conditions ; protest petition and election , when .

(c) If the municipality is a county , school district or community college and the proposed agreement involves the acquisition of land or buildings or equipment used in the mining or manufacturing of construction materials , is for a term exceeding the current fiscal year of the municipality , and provides for annual payments which in the aggregate exceed \$100,000 , the governing body of such municipality first shall adopt a resolution stating its intent to enter into such lease-purchase agreement .

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Senate Elec + Loc Gov  
2-20-01

Attachment 5

SENATE BILL No. 283

By Committee on Elections and Local Government

2-7

9 AN ACT concerning local units of government; relating to the seizure of  
10 automobiles by cities and counties.

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

13 Section 1. (a) Notwithstanding any provision of the Kansas standard  
14 asset seizure and forfeiture act, K.S.A. 60-4101 *et seq.*, and amendments  
15 thereto, each city or county which impounds a motor vehicle shall give  
16 notice to the owner of such motor vehicle and to any interest holder who  
17 has an interest in such motor vehicle of the impoundment.

18 (b) The notice required by this section shall be in writing and shall  
19 contain:

- 20 (1) A general description of the motor vehicle impounded;
- 21 (2) the date and place where the impoundment occurred;
- 22 (3) the name of the impounding agency; and
- 23 (4) the name, address and telephone number of the impounding of-  
24 ficer or other person or agency from whom information about the im-  
25 poundment may be obtained.

26 (c) The notice required by this section shall be given within seven  
27 days of the date of the impoundment.

28 (d) For the purposes of this section, the term "interest holder" shall  
29 have the meaning ascribed to it in K.S.A. 60-4102 and amendments  
30 thereto.

3 31 Sec. 2. This act shall take effect and be in force from and after its  
32 publication in the statute book.

K.S.A. 8-1102 or

Sec. 2. No fees of any kind shall be charged to or collected from anyone for storage or impoundment of a motor vehicle for more than seven calendar days unless notice has been given as required by section 1.

Senate Elec & Loc Gov  
2-20-01  
Attachment 6