

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 p.m. on February 2, 2004 in Room 526-S of the Capitol.

All members were present except:

Representative Tom Sawyer- excused
Representative Roger Toelkes-excused
Representative Ruby Gilbert-excused

Committee staff present:

Martha Dorsey, Legislative Research Department
Dennis Hodgins Legislative Research Department
Shirley Weideman, Committee Secretary

Conferees appearing before the committee: Brian Caskey, Secretary of State's Office

Others attending: See Attached List.

Chairman Myers asked if there were any committee bills to introduce. There were none.

Committee Chairman Myers opened the hearing on **HB 2589 - Campaign finance act; electronic filing of reports.**

Legislative Researcher Martha Dorsey was asked by the chairman to explain **HB 2589.** Ms. Dorsey said that this bill authorizes a number of the reports that are required to be filed in paper form with the Secretary of State's Office and /or the county elections officer's office to also be filed electronically with the Governmental Ethics Commission. Ms. Dorsey explained that Section 1. deals with the appointment of a campaign treasurer or a candidate committee. The name and address of each treasurer or chairperson of the committee is required to be reported to the Secretary of State. This paper report will remain in the law under this bill. This same report may also be filed electronically with the Governmental Ethics Commission. She explained that Section 2. deals with the party or political committee which anticipates the receipt of contributions or the making of a contribution. These required paper reports are statements of organization and must be filed for state officers with the Secretary of State's Office and in the case of local office candidates they must be filed with the county officers. They may also be filed electronically with the Governmental Ethics Commission. Ms. Dorsey also explained that Section 3. deals with paper treasurer's reports of political parties, campaigns or candidates that must be filed with the Secretary of State and/or the county election officers and may also be filed electronically with the Governmental Ethics Commission. She said that under Section 4., the dissolution of a party committee, candidate committee, political committee or the termination of a candidate's treasurer, requires that a termination report be filed with the Secretary of State's office and/or the county election office. This report may also be filed electronically. She stated that Section 5. deals with the report filed with the Secretary of State's office by the governor-elect when an inaugural treasurer is appointed. Ms. Dorsey told the committee that this report may also be filed electronically with the Governmental Ethics Commission.

Committee members asked questions of guests present. Chairman Myers asked Deputy Assistant Secretary of State Brad Bryant whether the Secretary of State's Office is able to receive these reports electronically and he also asked Governmental Ethics Commission Director Carol Williams whether her office could receive these reports electronically. Both replied that they were unable at this time to receive electronic reports securely.

Committee Chairman Myers had concerns about an extra step being added to the process of filing reports. He said that at present, the candidates, the parties, committees and the treasurers do not file reports with the Governmental Ethics Commission.

Chairman Myers decided to continue the hearing on **HB 2589** when the bill's sponsor could be questioned on his intent for the bill.

CONTINUATION SHEET

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE at 3:30 p.m. on February 2, 2004 in Room 526-S of the Capitol.

The hearing on **HB 2606 - Elections; electronic filing of election abstracts** was opened by Chairman Myers.

Martha Dorsey, Kansas Legislative Researcher was asked by Chairman Myers to explain **HB 2606**. She said that currently the results of state and national elections as they come to the county board of commissioners are sent to the Secretary of State's office where they are entered as abstracts. Once the Secretary of State's office, the Attorney General's office and the Governor's office, who comprise members of the state election board, do their final canvas, this becomes the final tally. Ms. Dorsey also said that this bill would allow the canvas from the county board of commissioners to be sent to the Secretary of State's office electronically.

Chairman Myers welcomed Bryan Caskey, Secretary of State's Office, before the committee as a proponent for **HB 2606**. Mr. Caskey said that currently official election results (abstracts) are submitted by each county election officer following the meeting of the county board of canvassers. The Secretary of State's office prints, binds and distributes these books to each county before each state primary and general election. After the county board of canvassers certify each county's election results, the county election office completes each abstract by hand and signs, seals and sends it to the Secretary of State by registered mail. The Secretary of State's office then re-keys the election results into the state election results database to produce the official election results that are certified by the State Board of Canvassers. Mr. Caskey also indicated that this bill would streamline this process by using the state PKI (Public Key Infrastructure) program. This program was designed for the electronic transmission of the most important documents and to produce the most secure electronic signature and authentication program possible. Mr. Caskey also told the committee that this bill would improve the efficiency in gathering official election results by saving staff time both at the county and state level and avoid the possibility for errors in re-entering data. He also said that there is a slight fiscal cost for the PKI certificates, which are \$40, but he anticipates some saving of staff time on both state and county levels as well as printing and mailing savings. Submitting the official election results electronically would be optional, but he indicated that it would help the state and counties become more efficient. (Attachment 1) Mr. Caskey answered questions asked by committee members.

The hearing on **HB 2606** was closed by Chairman Myers.

Chairman Myers said that the committee would work **HB 2606**.

Representative Wilson moved and Representative Huff seconded the motion that HB 2606 be moved favorably from committee.

After discussion on moving the bill forward, **Representative Wilson amended his motion to pass HB 2606 favorable and put it on the consent calendar. The motion was seconded by Representative Huff. Motion passed.**

The meeting was adjourned at 4:05 p.m. The next scheduled meeting is February 4 at 3:30 p.m.

HOUSE ETHICS AND ELECTIONS COMMITTEE

GUEST LIST DATE: February 2, 2004

Your Name	Representing
BRYAN CASKEY	SECRETARY OF STATE
Brad Bryant	"
Jesse Borjon	SOS
Janet Williams	GEC
Carol Williams	GEC

RON THORNBURGH
Secretary of State



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STATE OF KANSAS
House Committee on Ethics and Elections

Testimony on HB 2606

Bryan A. Caskey, Administrative Assistant
Elections and Legislative Matters
Office of the Secretary of State

February 2, 2004

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 2606. This is a bill that would allow county election officials to transmit official election results via a secure electronic transmission. This bill is proposed by the Secretary of State to improve the efficiency in gathering official election results.

Currently, official election results (abstracts) are submitted by each county election officer following the meeting of the county board of canvassers. I am circulating an example of this abstract book to the committee. Our office prints, binds and distributes these books to each county before each state primary and general election. After the county boards of canvassers certify each county's election results, the county election office completes each abstract by hand and signs, seals and sends it to us by registered mail. The Secretary of State's office then re-keys the election results into the state election results database to produce the official election results that are certified by the State Board of Canvassers. This process has been used by the Secretary of State's office for many years. It requires a hand entry by the county election office and then another manual entry by the Secretary of State's office.

This bill would streamline this process using the state PKI (Public Key Infrastructure) program. The PKI was developed by the Secretary of State's office in collaboration with many other state agencies and VeriSign. The purpose of the PKI program is to produce the most secure electronic signature and authentication program possible. It is designed for the electronic transmission of our most important documents. Currently, the Kansas Department of Revenue uses PKI in its E-lien program for lenders' release of car titles. And, the Kansas State Treasurer's office uses PKI to transfer millions of dollars among its customer banks.

By using PKI, each county election office would have the option of submitting their official election results electronically to the Secretary of State's office, who then would be able to assimilate the election results without re-keying information. This would save staff time both at the county level and state level, and avoid the possibility for errors in re-entering data.

There is a slight fiscal cost for the PKI certificates. Each certificate costs \$40. The Secretary of State's office will purchase these certificates for each county. The state will also have some programming costs to our election database to receive the election results. However, there will be some savings both short and long term for the county and state. Staff time will be reduced at both levels, particularly at the state level. The state would save printing costs of a few hundred dollars every two years and the counties would save mailing costs as well.

Submitting the official election results electronically would be optional, but we feel it would help the state and counties become more efficient by allowing this option.

Thank you.