

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT

The meeting was called to order by Chairman Tim Huelskamp at 1:34 P.M. on March 8, 2005 in Room 423-S of the Capitol.

All members were present.

Committee staff present: Martha Dorsey, Kansas Legislative Research Department
Mike Heim, Kansas Legislative Research Department
Ken Wilke, Revisor of Statutes
Janet Engel, Committee Secretary

Conferees appearing before the committee: Melissa Wangemann, Secretary of State's Office

Others attending: See attached list.

Minutes

Minutes for February 1, 2, 3, 8, 15, and 22, and March 2 were emailed to committee members and provided in meeting packets for approval. At the end of the meeting, Senator Reitz moved and Senator Betts seconded to approve the minutes as provided. The motion carried.

Hearing on HB 2118 - Cemetery merchandise trust funds; disclosure of certain information.

Ken Wilke summarized the bill. It primarily changes "may" to "shall".

There were no proponents or opponents. Melissa Wangemann appeared as a neutral party because it is related to her department, yet makes no change in actual practice. (Attachment 1)

Chairman Huelskamp closed the hearing.

Discuss HB 2118 - Cemetery merchandise trust funds; disclosure of certain information.

Senator Wilson moved and Senator O'Connor seconded the motion to pass the bill our favorably and place on the consent calendar. After minimal discussion, Senators Wilson and O'Connor withdrew the motion with consent of the committee.

Senator Betts asked for time to call a constituent about a situation in Western Kansas. Chairman Huelskamp agreed to hold the bill and also questioned the reasons for the house amendment.

Discuss HCR 5004 - Elections; concurrent resolution urging Congress to simplify the National Voter Registration Act of 1993 regarding removal of voters from voter registration lists.

The revisor did not have a requested amendment ready. Senator Francisco made a conceptual motion to amend and Senator Betts seconded that names are removed if the voter has not voted or made contact with a state or federal election officer. Senator Francisco stated that her **intent** is that a person voting in any other type of election remains actively registered. The motion to amend carried.

Senator O'Connor moved and Senator Donovan seconded to pass the resolution favorably as amended. The motion carried.

Closing

The subcommittee on SB 80 will meet Friday upon ajournment of the Senate. A balloon is available in room 521-S.

The next meeting is Thursday, March 10 for hearings on two bills.

There being no further business, the meeting was adjourned at 2:20 p.m.

Senate Elections & Local Government Committee

Daily, 1:30 - 2:30 p.m. Room 423-S

Senator Tim Huelskamp, Chair

Guest List for March 8, 2005

Please sign in with **BLACK Ink**.

Name

Representing

Melissa Wangemann

Sec of State

Mack Smith

KS ST Bd of Mortuary Arts

Pam Scott

Ks funeral Directors Assn

Don Moker

LKM

RON THORNBURGH
Secretary of State



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STATE OF KANSAS

TESTIMONY OF THE SECRETARY OF STATE
TO THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE
ON HB 2118

MARCH 8, 2005

Mr. Chairman and Members of the Committee:

The Secretary of State appreciates the opportunity to appear today to brief the committee and answer questions relating to HB 2118, which relates to public disclosure about cemetery merchandise trust funds and permanent maintenance funds.

The bill in its original form amends K.S.A. 17-1312e(b), which currently allows—but does not mandate—the Secretary of State to disclose upon request whether a cemetery corporation maintains a merchandise trust fund or maintenance fund, and whether the funds are in compliance with law. HB 2118 simply amends this provision to *require* the Secretary of State to disclose this information when a request is made.

When asked for this information, our office has always provided the information. Therefore, this bill will not change our procedures.

The bill was amended on the House floor to grant owners and heirs of a cemetery lot the right-of-way across private property to gain access to the cemetery.

I would be happy to answer any questions relating to the bill.

Melissa A. Wangemann, Legal Counsel
Deputy Assistant Secretary of State