

MINUTES OF THE HOUSE ELECTIONS AND GOVERNMENTAL ORGANIZATION COMMITTEE

The meeting was called to order by Chairman Mike Burgess at 3:30 P.M. on February 12, 2007 in Room 231-N of the Capitol.

All members were present except:

Representative Bill Otto- excused
Representative Mike Peterson- excused

Committee staff present:

Martha Dorsey, Legislative Research Department
Matt Spurgin, Legislative Research Department
Mike Heim, Revisor of Statutes Office
Maureen Stinson, Committee Assistant

Conferees appearing before the committee:

Sen. Ralph Ostmeyer
Chuck Thomas
Randall Allen
Carol Williams

Others attending:

See attached list.

HB 2307 Sherman county board of commissioners; election at large

Chairman Burgess opened the hearing on **HB 2307**.

Sen. Ralph Ostmeyer testified in support of the bill (Attachment 1). He explained that the city of Goodland now has the option of electing commissioners at large.

Chuck Thomas, Chairman, Sherman County Commissioners, testified in support of the bill (Attachment 2). He explained that the cities used to only have City Commissioners by ward and that now they have the option to be at large.

Randall Allen, KAC, testified in support of the bill (Attachment 3). He requested clarification on one point and explained that even though the bill clearly authorizes at-large representation, there does not appear to be provision in the bill to direct the board of county commissioners or the Sherman County electors as to how to put such system of at-large representation into effect.

Chairman Burgess closed the hearing on **HB 2307**.

HB 2307 Sherman county board of commissioners; election at large

Rep. Brunk made a motion for the favorable passage of **HB 2307** and asked that it be placed on the Consent Calendar. Rep. Metsker seconded the motion. The motion carried.

HB 2409 Campaign finance; certain reporting requirements

Chairman Burgess opened the hearing on **HB 2409**.

Carol Williams, Ethics Commission, testified in support of the bill (Attachment 4). She said The Governmental Ethics Commission believes that contributions received in the last days before an election should be disclosed prior to an election.

Rep. Terri Huntington submitted written testimony in support of the bill (Attachment 5).

Chairman Burgess closed the hearing on **HB 2409**.

HB 2267 Unilateral annexation; county-owned lands excluded

CONTINUATION SHEET

MINUTES OF THE House Elections and Governmental Organization Committee at 3:30 P.M. on February 12, 2007 in Room 231-N of the Capitol.

Rep. Huebert made a motion to amend the bill to strike the retroactive language of the bill. Rep. McCray-Miller seconded the motion. Rep. Huebert modified his motion to include a request for clarification of the language concerning unilateral annexation. Rep. McCray-Miller concurred on Rep. Huebert's change in the original motion. The motion carried. Rep. Huebert made a motion for the favorable passage of HB 2267 as amended. Rep. McCray Miller seconded the motion. The motion carried. Rep. Dahl asked that his vote be recorded as a "No" vote.

HB 2197 Campaign finance; corrupt political advertising shall include certain telephone communications; vendor records required

The Committee adopted amendments to require telephone calls be "preceded" (instead of "followed") by the sponsor information and to also make a clarifying change to the bill. The Committee further amended the bill to eliminate the requirement that a vendor of any political advertisement services maintain information regarding the requestor of the services and to eliminate the penalty for violation as well. Rep. Spalding made a motion for the favorable passage of HB 2197 as amended. Rep. Lane seconded the motion. The motion carried.

Rep. Lane made a motion for the favorable approval of the February 8, 2007 minutes. Rep. Huebert seconded the motion. The motion carried.

The meeting was adjourned.

The next meeting is scheduled for February 13, 2007.

STATE OF KANSAS



TOPEKA

SENATE CHAMBER

RALPH OSTMEYER
SENATOR, 40TH DISTRICT
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GRINNELL, KS 67738-0097

STATE CAPITOL
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COMMITTEE ASSIGNMENTS

VICE-CHAIR: NATURAL RESOURCES
MEMBER: AGRICULTURE
EDUCATION
FEDERAL AND STATE AFFAIRS
JOINT COMMITTEE ADMINISTRATIVE
RULES AND REGULATIONS

February 12, 2007

Chairman Burgess and members of your committee, thank you for this opportunity to testify in support of HB - 2307 which addresses at large commissioner districts in Sherman County.

The city of Goodland now has the option of electing commissioners at large and such is the case at Sherman County USD 352.

Chairman Chuck Thomas will testify in favor of this change that has the total support of the commissioners.

I believe you would agree decisions made are most generally what's best for all constituents. Again this is a local issue and the legislature is granting them the right to vote on it.

Again I would ask for your support of this change and thank you.

House Elections & Gov. Org.
Date: 2-12-2007
Attachment # 1

SHERMAN COUNTY

Sherman County
Commissioners
813 Broadway Room 101
Goodland, KS 67735
Phone: 785-890-4807
Fax: 785-890-4809

February 12, 2007

To: Committee Members

Re: HB2307

Here are some of the reasons for at large voting of Commissioners.

As Commissioners, we try to make decisions that are best for the county as a whole. As taxpayers the decisions we make affect them no matter what district they live in and most voters feel frustrated that they are only able to vote for one Commissioner once every 4 years. We have a county wide road department so that is not an issue.

Cities used to only have City Commissioners by ward, now they have the option to have Commissioners at large, such is the case in the City of Goodland.

School districts used to only have school board members by districts, now they have the option to be at large, such is the case in Sherman County's U.S.D. #352.

Both of these have been approved and the people like to have the ability to be able to vote for all the people that are making the decisions that affect them and their tax dollars. They would like to have that ability to vote for all the Commissioners because all three are deciding where their tax dollars are going and how much the taxpayers are going to pay.

As you realize, most people don't even realize which Commissioner is from their district. Most people in rural counties know all three of their Commissioners and will talk to the one they feel most comfortable with. Also local government is accessible to the voters much more so than state government so people are able to be more involved with the decision making whether it be by attending Commission meetings or talking to their Commissioners.

During our last election, we had many people at the polls upset because they could not vote for the only Commissioner race on the ballot. A voter even threw his ballot down and left without voting when he found out that he could not vote for a Commissioner.

Thank you for your consideration to this House Bill.

Sincerely,

Chuck Thomas, Chairman
Sherman County Commissioners

House Elections & Gov. Org.
Date: 2-12-2007
Attachment # 2

SHERMAN COUNTY

Sherman County
Commissioners
813 Broadway Room 101
Goodland, KS 67735
Phone: 785-890-4807
Fax: 785-890-4809

February 9, 2007

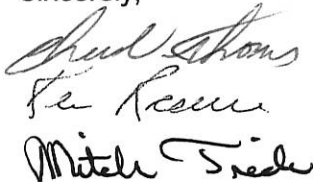
To: Committee Members

Re: Support of HB 2307

We would like to take this opportunity to voice our support for HB 2307. We have all heard from voters from each of our three (3) districts that have spoken to us about their concerns and their wishes to be able to vote for Commissioners at large. They feel that the decisions that are made by each of the Commissioners affects their lives in one way or another, therefore, they want to have some say on each of the Commissioners that are up for elections.

We ask that you consider this bill favorably for the citizens of Sherman County so that they can have the opportunity to vote on the issue and do what they feel is in their best interest at election time.

Sincerely,



Sherman County Commissioners



KANSAS
ASSOCIATION OF
COUNTIES

TESTIMONY

House Elections and Governmental Organization Committee
Presented by Randall Allen, Executive Director
Kansas Association of Counties
Monday, February 12, 2007

Chairman Burgess and members of the Committee, thank you for the opportunity to testify in support of HB 2307, a bill which we requested on behalf of Sherman County. On behalf of the membership of the Kansas Association of Counties (99 counties), we support this bill and urge its passage. HB 2307 allows the Board of Sherman County Commissioners to be elected at-large, in lieu of the current system of district representation as provided in K.S.A. 19-201 *et. seq.* This bill applies to Sherman County only and not to other counties in Kansas.

Sherman County is on I-70 and its western boundary is the Colorado state line. There are two cities (Goodland, county seat, and Kanorado) in the county, and the county has a population of 6,218 and an assessed valuation of about \$62 million.

We support passage of HB 2307, but request clarification on one point. Even though HB 2307 clearly authorizes at-large representation, there does not appear to be provision in the bill to direct the board of county commissioners or the Sherman County electors as to how to put such system of at-large representation into effect. As such, we would recommend an amendment with language similar to the following, which is largely borrowed from K.S.A. 19-204.:

“The board of county commissioners of Sherman County, by resolution, may provide for election of county commissioners on an at-large basis, but no such resolution which would effect such change shall take effect until it has been approved by a majority of the qualified electors of the county voting thereon at the next general election following not less than 60 days the adoption of such resolution, in which all the qualified electors of the county are entitled to vote. Upon the presentation of a petition to the board of county commissioners, signed by electors equal in number to 5% of the qualified electors of the county and verified by the county election officers, requesting that commissioners be elected on an at-large basis, the board of county commissioners shall cause such proposition to be submitted to the voters of the county at the next general election, following not less than 60 days the presentation of such petition, in which all of the qualified electors of the county are entitled to vote. If a majority of the electors voting at such election shall be in favor of changing from district representation to at-large representation, the change shall be effective with the next commission election.”

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House Elections & Gov. Org.
Date: 2-12-2007
Attachment # 3

Local government provides the most direct services to residents of Kansas. We believe that the spirit of HB 2307 is to allow the electorate in Sherman County options for its county governance. This is consistent with our bedrock position of supporting local control. Thank you for hearing our testimony, and with amendment, we urge that the committee recommend HB 2307 favorably for passage.



GOVERNMENTAL ETHICS COMMISSION

www.accesskansas.org/ethics

Testimony before House Committee on Elections and Governmental Organization in Support of House Bill 2409

by Carol Williams, Executive Director

February 12, 2007

The Governmental Ethics Commission believes that contributions received in the last days before an election should be disclosed prior to an election. This recommendation has been made by the Commission in its 2005, 2006, and 2007 annual Reports and Recommendations. House Bill 2409 provides for such disclosure.

Under current law, any contribution a state or local candidate receives during the last eleven days prior to the primary election is not disclosed on a receipts and expenditures report until eight days before the general election. Any contribution received during the last eleven days before the general election is not disclosed until the January 10 Receipts and Expenditures Report is filed. This post election reporting of last minute contributions does not provide the citizens of Kansas the opportunity to view these contributions in a timely fashion. There are currently 35 states, as well as the Federal Election Commission that require the last minute reporting of campaign contributions.

House Bill 2409 would require treasurers for state and local candidates to file a report of any contributions received by the campaign in the amount of \$300 or more received during the time period commencing 11 days before a primary or general election and ending at midnight on the Thursday preceding the date of the election. These reports would be required to be filed on or before the close of business on the Friday preceding the date of the election with the Secretary of State and/or county election officer.

I would suggest one amendment to HB 2409. The language on lines 36-37 on page 1 describe the method for filing these additional candidate reports. We believe the language recommended by the Secretary of State's office, which is found in SB 142 from last year, be adopted. That language states "Reports required by this section shall be filed by hand delivery, express delivery service, facsimile transmission or any electronic method authorized by the Secretary of State".

The mission of the Kansas Governmental Ethics Commission is to provide the public with timely and accurate information they need for knowledgeable participation in government

House Elections & Gov. Org.
Date: 2-12-2007
Attachment # 4

and the electoral process. In fulfilling its mission, the Commission believes that contributions received by candidates in the final days before an election should be reported and made available to the public prior to an election. The Commission urges your support for passage of HB 2409.

TERRIE W. HUNTINGTON
 REPRESENTATIVE, 25TH DISTRICT
 3216 WEST 68TH STREET
 MISSION HILLS, KANSAS 66208
 913-677-3582



COMMITTEE ASSIGNMENTS
 VICE-CHAIR: ECONOMIC DEVELOPMENT
 MEMBER: COMMERCE & LABOR
 TRANSPORTATION
 JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

TOPEKA

HOUSE OF
 REPRESENTATIVES

Elections and Governmental Organization
 Testimony for HB 2409—Campaign Contribution Reporting
 By Representative Terrie Huntington
 Monday, February 12, 2007

Thank you Chairman Burgess and members of the Committee for allowing me to present comments regarding HB 2409 and the reporting of campaign contributions made by an organization or individual on behalf of a candidate.

As currently required by KSA 25-4148, a treasurer must report contributions in excess of \$50, for the period ending 11 days before a primary and 12 days before the general election. But many of you know that contributions can pour into a campaign account, by thousands of dollars, and those contributions don't have to be reported until months after the election. Those dollars can be used to mount a significant last-minute campaign effort by a candidate, when an initial report showed no dollars available. An incumbent or challenger thinks their efforts have matched their opponent's, only to be blind-sided by a last-minute onslaught of printed materials, robo-calls, radio spots, or newspaper advertisements.

HB 2409 brings transparency into the election process, shedding light on the full measure of a campaign effort so that candidates and supporters alike can be apprised of dollars spent to get their candidate elected. If a candidate receives a contribution of \$300 or more to support a campaign, that amount must be reported by Thursday before the Tuesday election, to give all interested individuals or groups access to financial information. Is an outside group contributing to a candidate, or is he/she being financed by friends and neighbors? Are 527's (federal tax designation) funding an election, or local Chambers of Commerce?

"Clean elections empowers the constituency, gives voices to thousands of voters, expands opportunities and enhances democracy." (Enhancing Values: Practical Campaign Reforms for States)

Thank you for your consideration of HB 2409.