

Approved: 3/25/08
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Tim Huelskamp at 1:30 P.M. on February 6, 2008 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Martha Dorsey, Kansas Legislative Research Department
Ken Wilke, Revisor of Statutes
Jerry Donaldson, Legislative Assistant
Zoie Kern, Committee Assistant

Conferees appearing before the committee:

Senator John Vratil,
Carol Williams Governmental Ethics

Others attending:

See attached list.

Senator Jim Barone introduced a bill that would allow anyone to be placed on a list for permanent advanced voting ballot. A written request is to be made to the County Officer by person and to withdraw by the same procedure.

Senator Barone moved to introduce the bill.

Senator Wilson seconded the motion.

Motion carried.

Senator Vratil gave testimony on SB 428 (Attachment 1).

Discussion.

Hearing close on SB428.

Ken Wilke gave summary on SB 505.

Carol Williams of the Governmental Ethics Commission testified as a proponent to SB 505 (Attachment 2).

Discussion.

Hearing closed on SB 505.

Meeting adjourned.

Respectfully submitted,

Zoie Kern, Committee Assistant

JOHN VRATIL
SENATOR, ELEVENTH DISTRICT
JOHNSON COUNTY
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State of Kansas



COMMITTEE ASSIGNMENTS
CHAIR: JUDICIARY
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ORGANIZATION, CALENDAR
AND RULES
SENTENCING COMMISSION
INTERSTATE COOPERATION

Vice President Kansas Senate

Testimony Presented to
Senate Elections and Local Government
By Senator John Vratil
February 6, 2008
Concerning Senate Bill 428

Good Afternoon. Thank you for the opportunity to appear before the Senate Elections and Local Government Committee in support of Senate Bill (SB) 428. Following a recent district convention in Johnson County, I was approached by several constituents who were upset because no public record of the election was maintained. The constituents wanted to know how their respective precinct committee people voted and were frustrated to learn that the Kansas statutes outlining the convention voting procedure provided for a secret ballot.

I reviewed the applicable statutes (K.S.A. 2007 Supp. 25-3902, 25-3902a, 25-3904 and 25-3904a) and confirmed that under current law the secret ballot is required. Given that precinct committeemen and committeewomen are elected, the statutory requirement that district convention elections be by secret ballot seems strange. One would assume that transparency and accountability would be the “watch words of the day.” The language in SB 428 inserts transparency and accountability into the district convention voting process.

Precinct committee men and women are elected by the constituents who are members of the same political party as the committeewomen and committeemen. Precinct committee people are charged with certain duties. One important duty is the power to fill vacancies that occur between scheduled elections for an elected district office, an elected position on the State School Board, a party candidacy for a district office, or a party candidacy for the State School Board. The language in SB 428 describes two voting procedures for these elections: 1. Each precinct person’s vote is cast on a paper ballot which is signed by the precinct person, or 2. The voting is done by roll call voice vote at which each voter’s vote is recorded. All written ballots and all written records of the roll call vote are preserved and made available for public inspection.

I ask you to support SB 428. We, as elected officials, should do everything in our power to ensure the public’s trust in the election process. When secret ballots are used in precinct elections to fill vacancies in offices that serve all the citizens of a district, the elections do not instill confidence and develop public trust. SB 428 will establish a voting procedure that ensures transparency and accountability in elections conducted to fill vacancies occurring between regularly scheduled elections.

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John Vratil
Elections and Local
Government
2-06-08
Attachment 1



GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

**Testimony before Senate Commission on Elections and Local Government
in Support of Senate Bill 505
by Carol Williams, Executive Director
February 6, 2008**

Senate bill 505 is a recommendation made by the Governmental Ethics Commission in its 2007 Annual Report and Recommendations.

Under current law, the occupation of a contributor must be listed on a receipts and expenditures report if the donation is in excess of \$150. The Commission recommends that both the donor's occupation and employer be required to be listed for any contribution over \$150.

The occupation of a contributor can sometimes be vague. For example, listing the occupations of lawyer, businessman, banker, business executive, consultant, contractor, and developer are not as meaningful as that occupation being listed in conjunction with the contributor's employer. For instance, what bank does the banker work for? What company does the businessman, consultant, or contractor work for? Without the employer being listed, it is difficult to determine which industry, company or group is providing funds to a candidate's campaign, which can make it difficult to determine whether certain groups may be trying to influence the political process.

Thirty-one states and the Federal Election Commission require both a contributor's occupation and employer to be disclosed. In Kansas, candidates have been required to list only occupations since 1989.

Beginning with the January of 2007 reports, citizens have been able to view copies of the campaign finance reports submitted by candidates on the Commission's web site. Now that individuals have immediate access to filed campaign finance reports, the Commission believes these reports should shed as much light as possible on the contributions made to Kansas candidates. A step in that direction would be to require the employer as well as the occupation of contributors who make donations over \$150. The Commission urges your support of SB 505.

*Elections and Local
Government 2/6/08
attachment 2*