

MINUTES OF THE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Terrie Huntington at 9:41 a.m. on February 17, 2011, in Room 159-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Ellen Martinez, Committee Assistant

Conferees appearing before the Committee:

Ryan Kreigshauser, Deputy Assistant Secretary of State for Policy
Brad Bryant, Deputy Assistant Secretary of State, Elections and Legislative Matters

Others attending:

See attached list.

The Chairman called the meeting to order and opened the hearing on **SB 128 - Presidential preference primary election; date delayed**. Staff explained that **SB 128** would change the date of the next presidential preference primary in Kansas from 2012 to 2016. It also would change the filing deadline for a candidate who wishes to appear on the ballot of the presidential preference primary, from February 12 to seven weeks before such an election. The bill would allow darkening of an oval, in addition to making a mark in a square, to indicate a vote in a presidential preference primary.

Ryan Kreigshauser, Deputy Assistant Secretary of State for Policy, testified in support of **SB 128**. Secretary of State Kris Kobach requested this bill as primarily a cost saving measure. This bill would ensure that the Secretary of State's office and county election offices are not left with a statutory obligation to conduct a primary without funding. (Attachment 1)

There being no further discussion, the hearing was closed.

The Chairman opened the hearing on **SB 129 - Elections; vacancies; state senators**. Staff explained that **SB 129** would change election requirements for filling a vacated Senate office. If the vacancy occurred before May 1, changed by the bill from October 15, in the second year of the term, a senator would be elected in the next general election. Anyone appointed to the office would serve until that election. The bill would specify that the nomination and election process of the successor senator would be the same as that for a regular Senate term. A person appointed to a Senate office vacated after May 1 in the second year of a term would stay in the office for the remainder of the term.

Brad Bryant, Deputy Assistant Secretary of State Elections and Legislative Matters, testified in support of **SB 129**. Secretary of State Kris Kobach requested this bill to establish a more normal and orderly process for holding elections to fill vacancies in the Kansas Senate when they occur in the first half of the term. (Attachment 2)

There being no further discussion, the hearing was closed.

The Chairman opened the hearing on **SB 145 - Elections; corrupt political advertising; stand by your ads requirement**. Staff explained **SB 145** would add to the Campaign Finance Act requirements for a disclosure statement in any radio or television ad that clearly expresses the nomination, election, or defeat of a clearly identified candidate for state or local office. The statement would have to be spoken, and the bill would specify minimum "approved by" wording for the statement. The statement could be made by a candidate, the chairperson or treasurer or a party or political committee, an individual, or another person as a representative of a corporation, group, or entity. It would delete current requirements related to those ads.

Senator Schmidt testified in support of **SB 145**. Carol Williams, Executive Director of the Governmental Ethics Commission clarified several issues for the Committee. Senators Faust-Goudeau and Reitz both supported **SB 145**. (Attachment 3)

CONTINUATION SHEET

The minutes of the Ethics and Elections Committee at 9:41 a.m. on February 17, 2011, in Room 159-S of the Capitol.

Kent Cornish, Kansas Association of Broadcasters, stood for questions from the committee.

There being no further discussion, the hearing was closed.

The Chairman opened the floor for final action on **SB 125 - Elections; candidate filing deadline change.**

Senator Kelsey moved, seconded by Senator Faust-Goudeau. Motion carried.

The Chairman opened the floor for final action on **SB 130 - Elections; candidate filing deadlines; other.**

Senator Kelsey moved, seconded by Senator Schmidt. Senator Kultala asked that **SB 130** be amended to remove a provision that would have decreased from 300 to 100 the number of signatures needed on a nomination petition for the office of member of the State Board of Education.

Senator Schmidt moved, seconded by Senator Brungardt, the bill be amended as previously stated. Motion carried.

Senator Kultala moved, seconded by Senator Faust-Goudeau, the bill be passed favorably as amended. Motion carried.

The Chairman thanked the conferees for appearing before the Committee.

The next meeting is scheduled for February 19, 2011

The meeting was adjourned at 10:29 a.m.