

Approved: 1-26-94
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by Chairperson Marvin Smith at 9:00 a.m. on January 25, 1994 in Room 521-S of the Capitol.

All members were present except:

Committee staff present: Carolyn Rampey, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Nancy Kippes, Committee Secretary

Conferees appearing before the committee:

Carole Williams, Kansas Commission on Governmental Standards and Conduct

Others attending: See attached list

Hearing on:

HB 2649 - elections; political advertising.

Carole Williams, Kansas Commission on Governmental Standards and Conduct, provided written testimony in favor of HB 2649 (Attachment 1). She explained this bill would require any individual and/or group that disseminates brochures, pamphlets, flyers or any other fact sheet concerning any candidate to file a disclaimer.

HB 2650 - elections; local campaign finance; penalties for failure to file reports and statements.

Carole Williams, Kansas Commission on Governmental Standards and Conduct, testified in favor of HB 2650, stating this bill requires county and first class city elections candidates to file campaign finance reports with the Secretary of State (Attachment 2).

Representative Dillon made a motion to approve the minutes for the January 21, 1994 meeting as submitted. Representative Scott seconded. Motion carried.

The meeting was adjourned at 9:25 a.m. The next meeting is scheduled for January 26, 1994.

GUEST LIST

COMMITTEE: House Governmental Organization & Elections DATE: 1-25-94

[illegible]



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Testimony before House Governmental Organization and Elections House Bill 2649 By Carol Williams Kansas Commission on Governmental Standards and Conduct

House Bill 2649 which is before you this morning would amend K.S.A. 25-4156, a provision of the Campaign Finance Act. This bill is a recommendation made by the Kansas Commission on Governmental Standards and Conduct in its 1993 Annual Report and Recommendations.

K.S.A. 25-4156 currently requires any paid advertisement which is placed in a newspaper or other periodical or aired on radio or television to include a disclaimer which states who has paid for the political advertisement. The Commission recommends that this section be amended to include a similar disclaimer for brochures, flyers or other political fact sheets which are disseminated to the public.

During the 1992 election cycle, the Commission received many calls from candidates and other individuals who were wondering who had paid for publications that were mailed or distributed door to door that either supported or opposed specific candidates for state or local office. Since this information is not currently required by K.S.A. 25-4156, we were unable to provide this information. The Commission believes that this information should be available to the public.

Under K.S.A. 25-4150, any person who expends more than \$100 in a calendar year supporting or opposing a candidate for state or local office must file a report with the Secretary of State and/or the county election officer on the same dates that candidates and political committees file reports. It is impossible for the Commission to determine who has actually paid for brochures and flyers which are distributed in an election year. Individuals who expend funds supporting or opposing candidates for state or local office should be disclosing this information just as candidates and political committees are required to do. Requiring a "Paid for by" disclaimer on brochures, flyers and political fact sheets would help the Commission obtain compliance with K.S.A. 25-4150.

The Commission urges your support of HB 2469.

*House Gov. Org. & Elections
January 25, 1994
Attachment 1*

**KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT****Testimony before House Governmental Organization and Elections
House Bill 2650****By Carol Williams****Kansas Commission on Governmental Standards & Conduct**

House Bill 2650 which is before you this morning would amend K.S.A. 25-25-4167, a provision of the Campaign Finance Act. This bill is a recommendation made by the Kansas Commission on Governmental Standards and Conduct in its 1993 Annual Report and Recommendations.

The Commission believes the proposed amendment to K.S.A. 25-4167 is actually a clean up amendment. K.S.A. 25-4167 is the failure to file provision which sets forth the penalty for failing to file any document required by the Campaign Finance Act. The current language in this section only pertains to reports and other documents which are filed with the Secretary of State's office. Local candidates and political action committees that support or oppose local candidates are required to file their documents with their county election officer, not the Secretary of State. As the statute now stands, the Commission cannot send a failure to file notice or file a complaint against a local candidate or local PAC who has not filed the necessary campaign finance report.

Therefore, this section needs to be amended to state "failure to file a campaign finance report is the intentional failure of any person required to make any report, amended report or statement by the campaign finance act to file the same with the secretary of state or county election officer".

The Commission urges your support of HB 2650.

*House Gov't Org. & Elections
January 25, 1994
Attachment 2*