

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT

The meeting was called to order by Chairman Tim Huelskamp at 1:33 P.M. on January 26, 2005 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
Janet Engel, Committee Secretary

Conferees appearing before the committee:

Representative Larry Powell
Carol Williams, Ethics Commission

Others attending: See attached list.

Bill Introductions

Senator Huelskamp has received a constituent request to introduce a bill related to reimbursement for licensed professional counselors. It was moved by Senator O'Connor and seconded by Senator Wilson that the committee introduce the requested bill. Motion carried.

Hearing on HB 2007 - an act concerning horsethief reservoir benefit district

Martha Dorsey, committee staff, described this bill and its supplemental note. It removes the requirement for the public vote to be by mail ballot and costing an expected \$50,000 - 60,000. The bill provides for the question to be posed to voters at a general election, special election, or election by mail. There were no questions of staff.

Proponents: Representative Larry Powell provided testimony (Attachment 1) and answered questions.

There were no opponents. Senator Huelskamp closed the hearing.

Discussion of HB 2007

It was moved by Senator O'Connor and seconded by Senator Wilson that the committee favorably pass this bill. Motion carried.

Hearing on SB 67 - an act concerning campaign finance; relating to corrupt political advertising; amending K.S.A. 25-4156 and repealing the existing section.

Ken Wilke, committee staff, summarized the bill. It corresponds to the fourth recommendation from the Ethics Commission. This bill will require identification of those who sponsor or pay for messages delivered via phone banks. Mr. Wilke fielded questions from the Senators.

Proponents: Carol Williams presented testimony, provided (Attachment 2) and (Attachment 3), and fielded questions.

There were no opponents. Senator Huelskamp closed the hearing.

Discussion of SB 67

Senators discussed the bill until it was determined that Mr. Wilke needed to consult with others and adjust the language so it addresses known and anticipated technology methods to conduct phone banks and related electioneering. The bill was held until a future meeting when such language can be made available.

Discussion of SB 65 - campaign finance; pertaining to certain daily reports of contributions

Discussion was held on this motion which was heard January 25. Ms. Williams was asked to stand and field questions. It was moved by Senator Betts and seconded by Senator Reitz to amend line 28 to replace "upon" with "before". Motion carried.

CONTINUATION SHEET

MINUTES OF THE Senate Elections and Local Government at 1:33 P.M. on January 26, 2005 in Room 423-S of the Capitol.

Mr. Wilke distributed (Attachment 4) with proposed amendments marked. The Secretary of State's office recommended the amendment marked on lines 16, 17, & 18. It was moved by Senator Huelskamp and seconded by Senator O'Connor to amend lines 16, 17, & 18 as marked. Motion carried.

It was moved by Senator Wilson and seconded by Senator Reitz that the committee favorably pass this bill as amended. Motion carried.

Closing

The next meeting is Thursday, January 27. The Secretary of State's office is coordinating a presentation about ballot security and electronic voting.

There being no further business, the meeting was adjourned at 2:28 p.m.

Senate Elections & Local Government Committee
 Daily, 1:30 - 2:30 p.m. Room 423-S
 Sen Tim Huelskamp, Chair

Guest List for January 26, 2005
 Please sign in

Name	Representing
Donna Voth	Govt Ethics Comm
Carol Williams	" " "
Ed Rader	* FED
Janelle Nuessen	Huin Law Firm
HELENE SMITH	Private Citizen
Myrna Powell	Private Citizen
Richard A. Spruzell	Kennedy & Assoc.
Anna Millham	Senator Petersen
Robin Jenuison	Panama Watershed
Ron Allen	Panama Watershed
SID SHRIWASE	" "
Ron Pfenniger	" "

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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE-CHAIRPERSON: AGRICULTURE
MEMBER: AGRICULTURE AND NATURAL
RESOURCES BUDGET
EDUCATION
ENVIRONMENT

January 26, 2005

Government Organization & Elections Committee
Chairman, Tim Huelskamp

Thank you, Mr Chairman for allowing me to appear before your Committee today.

The bill before you today is a cleanup for a bill passed last year (House 99-yes and Senate 40-yes).

The bill referenced the wrong statute and called for a mail ballot which would have cost 50-60 thousand dollars. We didn't want these small counties to have this expense so this bill is to fix that problem.

I ask for your committee's support to get this out quickly so we can get the proposition on the April 5th ballot.

I'll be glad to stand for questions.

Senate Elections & Local Govt.
Date: 1 / 26 / 2005
Attachment 1



GOVERNMENTAL ETHICS COMMISSION

www.accesskansas.org/ethics

Testimony before Senate Committee On Elections and Local Government in Support of Senate Bill 67

by Carol Williams, Executive Director, January 26, 2005

Senate Bill 657 is one of the recommendations made by the Governmental Ethics Commission in its 2005 Annual Report and Recommendations.

Current law does not require a telephone call featuring a recorded message which expressly advocate the election or defeat of a clearly identified candidate for state or local office to identify who paid or sponsored the message. Any advertisement placed in a newspaper or other publication, any advertisement broadcast on radio or television, or any published brochure, flier, or other political fact sheet which expressly advocates must identify the person paying for or sponsoring such piece .

K.S.A. 25-4156 was last amended in 1998 to require the identification of those publishing campaign brochures, fliers, or other political fact sheets. In 1998, automated phone messages were not widely utilized by campaigns. Today, the use of automated phone messages have become an integral part of many campaigns. The Commission believes that individuals receiving these recorded campaign phone messages should know who has either paid for or sponsored the message.

New section (b)(1)(C) in SB 67 would require the identification of who “paid for” or “sponsored” any paid matter by telephonic means which expressly advocates the election or defeat of a clearly identified candidate for state or local office. The Commission urges your support for passage of Senate Bill 67

Senate Elections & Local Govt.
Date: 1 / 26 / 2005
Attachment 2

Notes Concerning Telephone Calls Received By Carol Williams, Governmental Ethics Commission, Concerning Issue Ads and PAC Independent Expenditures

July 15	Citizen	Sept 24	County Clerk
July 19	City official	Sept 27	Citizen
July 20	Citizen, Doniphan Co	Sept 30	Citizen
July 27	Citizen	Oct 1	Citizen
	Citizen	Oct 4	Citizen
	Legislator		Legislator
July 28	Reporter	Oct 11	Legislator
July 29	Citizen, Wichita	Oct 19	Citizen, Manhattan
July 30	County Candidate	Oct 21	Citizen
	Candidate	Oct 21	Citizen
	Candidate		Citizen
	Candidate	Oct 25	Citizen
	Citizen, Manhattan	Oct 26	Reporter
	Reporter	Oct 27	Party officer
	Reporter		Citizen
Aug 2	Legislator		Citizen
	PAC officer	Oct 28	Citizen
	County Officer		Reporter
	Reporter		Citizen, Crawford Co.
Aug 3	Reporter	Nov 1	Citizen
Aug 4	Reporter	Nov 16	Citizen
Aug 12	Legislator		Legislator
	Citizen	Dec 2	Legislator
	Reporter	Dec. 20	Citizen
Aug 13	Citizen, Johnson Co.		
Aug 18	Citizen, Shawnee Co.		
	Citizen		
	Reporter		
	Reporter		
Aug 19	Reporter		
	Reporter		
	Citizen		
	Reporter		
Aug 27	Legislator		
	Citizen		
	County Officer		
	Legislator		
	Citizen		
Sept 20	Legislator		
Sept. 23	Citizen		
	Legislator		
	Legislator		
	Reporter		

SENATE BILL No. 65

By Committee on Elections and Local Government

1-20

9 AN ACT concerning campaign finance; pertaining to certain daily reports
10 of contributions.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) Every treasurer for a candidate for state or local office
14 shall file reports of campaign contributions as prescribed by this act. Re-
15 ports filed by treasurers for candidates for state office, other than officers
16 elected on a state-wide basis, shall be filed in both the office of the sec-
17 retary of state and in the office of the county election officer of the county
18 in which the candidate is a resident. Reports filed by treasurers for candi-
19 dates for state-wide office shall be filed only with the secretary of state.
20 Reports filed by treasurers for candidates for local office shall be filed in
21 the office of the county election officer of the county in which the name
22 of the candidate is on the ballot. Reports required by this section shall
23 be in addition to any other reports required by law.

24 (b) The report shall contain the name and address of each person
25 who has made one or more contributions in an aggregate amount or value
26 of \$300 or more during the period commencing 11 days before a primary
27 or general election at which a state or local officer is to be elected and
28 ending upon the day of such election. The report shall be made on or
29 before the close of the next business day in which any contribution is
30 received. The report shall contain the amount and date of the contribu-
31 tion, including the name and address of every lender, guarantor and en-
32 dorser when the contribution is in the form of an advance or loan.

33 (c) Reports required by this section shall be filed via e-mail, facsimile
34 transmission, telegram or express delivery service.

35 (d) (1) "Local office" shall have the meaning ascribed to it in K.S.A.
36 25-4143 and amendments thereto.

37 (2) "State office" shall have the meaning ascribed to it in K.S.A. 25-
38 4143 and amendments thereto.

39 Sec. 2. The provisions of this act shall be part of and supplemental
40 to the campaign finance act.

41 Sec. 3. This act shall take effect and be in force from and after its
42 publication in the statute book.

Reports filed with the secretary of state pursuant to this section shall be provided to the public on the on the secretary of state's website and in any other manner the secretary of state deems appropriate.

(e)