

MINUTES OF THE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Terrie Huntington at 9:35 AM. on February 2, 2012, 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
Laura Jurgensen, Kansas Legislation Research Department
Ellen Martinez, Committee Assistant

Conferees appearing before the Committee:

Kris Kobach, Secretary of State
Laura Brod, Spokesperson, Support Popular Vote

Others attending:

See attached list.

The Chairman called the meeting to order and asked for bill introductions; there were none.

The Chairman opened the floor for final action on **SB 102–Governmental ethics commission; candidate, lobbyist fee increases.** The committee discussed increasing fees as suggested by the Kansas Governmental Ethics Commission. (Attachment 1)

Senator Brungardt moved moved to accept EC new fee proposal, seconded by Senator Apple. Motion carried.

Staff distributed 5 proposed amendments to **SB 102** (Attachments 2-6).

Proposed amendment 1 amending K.S.A. 2011 46-269 states if all members of a legislative committee are invited to an event where a meal is provided, the aggregate amount of the event shall be reported. (Attachment 2)

Proposed amendment 2 amending K.S.A. 46-237 would change the aggregate value for hospitality from \$100.00 to \$250.00 and include the spouse of the state officer or employee, candidate for state office or state officer. (Attachment 3)

Proposed amendment 3 amending K.S.A. 46-268 would change the deadline of reports required to be filed by lobbyists from the 10th to the 15th of the months in which those reports are required. (Attachment 4)

Proposed amendment 4 amending K.S.A. 25-4148 would change from \$50 to \$100 the aggregate maximum contribution amount or value for which a candidate's treasurer would not need to report the name and address of the contributor. (Attachment 5)

CONTINUATION SHEET

The minutes of the Ethics and Elections Committee at 9:35 AM. on February 2, 2012, in Room 159-S of the Capitol.

Proposed amendment 5 amending K.S.A. 46-269 would require the primary sponsor or sponsors of an event to itemize event expenditures. (Attachment 6)

Senator Kelsey moved that the amendments 1-5 be bundled into one amendment, seconded by Senator Schmidt. Motion carried.

Senator Schmidt moved, Senator Brungardt seconded, to amend K.S.A. 46-269(c)(1) to add "and the date the expenditure was made" to the end of the subsection (amendment 6) and to remove a requirement for an annual report for a lobbyist who filed an affidavit of intent to spend an aggregate amount of less than \$100.00 in each reporting period and who did not exceed that amount (amendment 7). Motion carried.

Senator Kelsey moved, Senator Brungardt seconded, to amend **SB 102** by adopting all of the proposed amendments and to recommend the amended bill favorably for passage. Following discussion, Senator Kelsey withdrew the motion.

Senator Schmidt moved, Senator Apple seconded to remove amendment 2 (K.S.A. 46-237) changing the aggregate value for hospitality from \$100.00 to \$250.00 and include the spouse of the state officer or employee, candidate for state office or state officer. Motion carried.

Senator Petersen moved, Senator Kelsey seconded to amend **SB 102** by adopting proposed amendments 1, 3, 4, 5, 6, and 7. Motion carried.

Senator Petersen moved to amend K.S.A. 46-237(b) to leave the dollar amount at \$100.00 and add "or spouse". Following discussion, the amendment died for lack of a second.

Senator Kelsey moved, Senator Petersen seconded to recommend **SB 102**, as amended, favorably for passage. Motion carried.

The Chairman called for final action on **SB 309–Elections; corrupt political advertising; stand by your ads requirement**. (Attachment 7) Senator Petersen moved to amend the bill to allow certain disclosure statements to use the word "approved" as an alternative to the word "sponsored", Senator Kelsey seconded. Motion carried.

Senator Schmidt moved, Senator Reitz seconded to recommend SB 309, as amended, favorably for passage. Motion carried.

The Chairman opened the hearing on **SB 242–Interstate compact on the agreement among the states to elect the president by national popular vote act**. Laura Brod, Spokesperson, Support Popular Vote, testified as a proponent. (Attachment 8)

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Kris Kobach, Kansas Secretary of State, spoke as an opponent to the bill. He testified that he had four problems with this bill. All votes of the states that are part of this compact are voted together. He believes it violates the compact clause of the U. S. Constitution. He believes it will not reduce election fraud. And lastly, he believes it goes against the intent of the founding fathers of the United States.

There being no further discussion, the Chairman closed the hearing.

The next meeting is scheduled for February 8, 2012.

The Chairman adjourned the meeting at 10:30 AM.