

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Vice-Chairman Pat Apple at 9:30 a.m. on February 5, 2009, in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Ken Wilke, Office of the Revisor of Statutes  
Reed Holwegner, Kansas Legislative Research Department  
Carolyn Long, Committee Assistant

Conferees appearing before the committee:

Carol Williams, Director, Governmental Ethics Commission  
Bryan Caskey, Administrative Assistant, Election Division, Secretary of State

Others attending:

See attached list.

Vice-Chair Apple began the meeting and opened the hearing on **SB 118—Campaign finance; state-wide offices; electronic filing required**, welcoming Carol Williams. Ms. Williams said the bill would require state-wide electronic filing, allowing the media and voting public to have a searchable database on-line by 2010 (Attachment 1)

Senator Wagle voiced opposition to requiring this for lower level candidates and Ms Williams responded that this was not the intent of the bill at this time.

Brian Caskey, speaking in favor of the bill, stated that currently the electronic filing is optional and that his office supports and encourages passage as it reduces paperwork and staff (Attachment 2).

There being no further discussion, the hearing on **SB 118** was closed.

Chairwoman Schmidt introduced **SB 117—Elections; certain political advertising; disclosure requirements**. Carol Williams asked for a substitute for this bill amending Supp. 25-4156 (Attachment 3). It would require “paid for” or “sponsored by”, followed by the name of the sponsor if attribute expressly advocates the nomination, election or defeat of a clearly identified candidate in an e-mail, website, or other type of internet communication as these types of communication fall under the category of being published. This does not apply to any communication of less than 25 individuals. Staff recommended clarifying wording in the law.

Senator Pyle requested that the Commission provide examples of complaints received which may have generated the need for this legislation and what it would change.

The language is currently in a rule and regulation but not in statute.

The hearing on **SB 117** was closed following encouragement for the amendment.

Chairman Schmidt called for final action on **SB 55—Concerning ballots by uniformed and overseas citizens and federal services voters and SB 57—Campaign finance; requiring electronic filing of certain reports**. The Chair recommended combining these bills by adding a section to amend **SB 55**, by amending **SB 57** and inserting it into **SB 55**. Senator Apple made a motion and Senator Reitz seconded.

Senator Brungardt offered an amendment allowing portability of funds raised. Senator Pyle would like a dollar amount cap inserted to make the transfer more applicable to all members. **Senator Brungardt moved the amendment, Senator Reitz seconded. Motion carried on a voice vote.**

The Chair referred back to the bill. **Senator Reitz moved, Senator Brungardt seconded that SB 55, as amended, be moved out favorably. The motion carried**

The Chair then referred to **SB 56—Elections; security of advance voting ballots** and opened the floor for

## CONTINUATION SHEET

Minutes of the Senate Ethics And Elections Committee at 9:30 a.m. on February 5, 2009, in Room 446-N of the Capitol.

discussion, noting that this was about the security of the ballot and nothing more.

Senator Faust-Goudeau noted that the face of the advance voting envelope contained a place for the voter's signature and the inclusion of additional language for the carrier of the ballot could be incorporated.

Senator Wagle moved for a conceptual amendment to **SB 56** regarding Senator Faust-Goudeau's suggestion, Senator Apple asked when the third party signs the ballot. It was noted that the voter designated the carrier on the envelope when the voter releases the ballot to the individual to turn it in and the carrier has a two-day window in which to turn in the ballot. This would be a state-wide requirement.

Senator Reitz moved, Senator Brungardt seconded that **SB 56** be moved as amended. Time having expired, this bill, as amended, will be acted on at the next meeting.

The meeting was adjourned at 10:30 a.m. The next meeting is scheduled for February 11, 2009.