

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE.

The meeting was called to order by Chairperson Representative Don Myers at 3:30 p.m. on January 29, 2003 in Room 521-S of the Capitol.

All members were present except: Representative David Huff, Excused

Committee staff present: Ken Wilke, Revisor
Dennis Hodgins, Research
Kathie Sparks, Research
Shirley Weideman, Secretary

Conferees appearing before the committee: Representative R.J. Wilson
Brad Bryant, Deputy Assistant Secretary of State
Carol Williams, Governmental Ethics Commission Director

Others attending: See attached list.

Chairman Myers opened the meeting to bill introductions.

Representative Wilson would like to introduce a bill concerning elections that would change the law concerning what are allowable expenditures of campaign funds. He said it is a more broad definition. Representative Wilson moved and the motion was seconded by Representative Sawyer that this bill be introduced. The motion passed.

Deputy Assistant Secretary of State Brad Bryant appeared before the committee to request a bill to cover the new provisions of the national Help America Vote Act of 2002 (HAVA). The bill will: 1) require voters to provide identification when voting, 2) allow federal services voters to submit one ballot application for all elections in a two-year period, 3) add an affirmation to the poll book signed by the voter at the polling place verifying that the voter is qualified to vote, 4) require that a sample ballot, the date of the election and the hours the polls are open are posted at each polling place, 5) amend the requirements of the voter registration application form and 6) require that when polling hours are extended by court order, ballots cast after regular polling hours are provisional ballots and kept separate from other provisional ballots. (Attachment 1) Representative Yonally moved that it be introduced as a committee bill. Representative Toelkes seconded the motion. Motion passed.

Chairman Myers opened the hearing on **HB 2048 - Elections; changing date for receiving contributions for a primary election** and **HB 2094 - Elections; changing date for limitation on campaign contribution during legislative session.**

Carol Williams, Director of the Governmental Ethics Commission, appeared before the committee as neutral on **HB 2048**. She said that this bill changes the closing date for allocating general election contributions and expenditures from December 31 of an election year to midnight on the date of the general election. Ms. Williams suggested that two changes be made in the bill. First, the time period covered by the last report for the general election cycle should be changed in K.S.A. 25-4148. The report shall be for the period beginning 11 days before the general election and ending on the date of the general

CONTINUATION SHEET

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE at on January 29, 2003 in Room 521-S of the Capitol.

election. The second change would eliminate the language concerning expenditures from K.S.A. 25-4149 since it has been ruled unconstitutional to set limitations on a candidate's campaign spending. She said she also is neutral on HB 2094, which basically allows a few more days for contributions. (Attachment 2)

Representative R.J. Wilson appeared before the committee as a proponent for HB 2048. He said it would allow people with campaign debt a better avenue to pay off that debt following the general election. He said he is fine with HB 2094 being attached to HB 2048. (Attachment 3)

The hearing was closed on HB 2048 and HB 2094.

The committee took up HB 2048.

Representative Sawyer moved that HB 2094 be combined into HB 2048. Representative Gilbert seconded the motion. The motion passed.

Representative Wilson moved that HB 2048 as combined with HB 2094 be amended by removing all references to expenditures in K.S.A. 25-4149(a) & (B), deleting "January 1" and replacing with *first day* and deleting "the December 31 following" and replacing "one general election date" with *the date of the general election*, and also by deleting "December 31" in K.S.A. 25-4148(3) and replace with *the date of the general election* and deleting "the preceding calendar year" and adding *beginning the day after the preceding general election through the calendar year following such election* after "on the next January 10 for the period" in K.S.A. 25-4148(4). The motion was seconded by Representative Toelkes and the motion passed. (See Attachment 2)

Representative Powers moved and it was seconded by Representative Miller that HB 2048 as combined with HB 2094 and amended be passed favorably from committee. The motion passed.

Chairman Myers announced that the committee will hear HB 2061 on Monday.

The meeting was adjourned at 4:35 p.m. The next scheduled meeting is February 3.