

MINUTES OF THE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Terrie Huntington at 9:30 a.m. on February 3, 2011, 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
Ellen Martinez, Committee Assistant

Conferees appearing before the Committee:

Ray Merrick, Kansas Senator
Rob Olson, Kansas Senator
Carol Williams, Executive Director, Governmental Ethics Commission

Others attending:

See attached list.

The Chairman called the meeting to order and opened the hearing on **SB 43 - Campaign finance; transfer of campaign money to another candidacy**. Staff explained that this bill would amend the Campaign Finance Act to allow, under certain circumstances, transfer of funds to a bona fide successor campaign committee and to require disclosure of dates of certain lobbyist expenditures. The bill would allow a candidate who has established a bona fide successor committee and transferred all funds to it to accept contributions to the original candidacy sufficient to retire the debt of the original candidacy, subject to contributions limits for the original office. When contributions have been sufficient to retire the debt, the bill would require the original candidacy to be terminated.

Senator Ray Merrick testified in support of **SB 43**. He felt he was adversely affected by the current campaign finance laws regarding moving campaign funds from one account to another when he was elected to the Senate through the precinct election process. (Attachment 1)

Senator Rob Olson testified in support of **SB 43**; there was no written testimony. He felt that the money should follow the candidate.

Carol Williams, Executive Director, Governmental Ethics Commission, was neutral on **SB 43**. The bill was introduced to address a Kansas Supreme Court decision in *Cole v. Mayans and Kenton*, in which the Court said that transfer of funds from one campaign account to another is a contribution prohibited under the Campaign Finance Act. She answered questioned from the committee regarding certain circumstances that occurred during the past election cycle. (Attachment 2)

There being no further discussion, the hearing was closed.

The Chairman advised the committee that the next two weeks will be full as there are numerous bills to be heard. She thanked all those appearing before the Committee.

The next meeting is scheduled for February 9, 2011

The meeting was adjourned at 10:01 a.m.