

SESSION OF 2012

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE SUBSTITUTE FOR SENATE BILL NO. 129**

As Agreed to April 27, 2012

Brief*

House Sub. for SB 129 would amend requirements for extension and drainage district elections, add a form of identification acceptable for voting, provide for free birth certificates for purposes of voting, and increase the campaign contribution limit for State Board of Education candidates from \$500 to \$1,000.

***Extension and Drainage District Elections
(Sections 1 and 2)***

The bill would change the filing deadline for extension and drainage district governing body candidates to not later than noon of the Tuesday, ten weeks preceding the first Tuesday in April in election years. For extension district candidates, the revision would amount to changing "odd-numbered years" to "election years"; the remainder of this deadline change was made in 2011. For drainage district candidates, current law sets the deadline at noon on the Wednesday following the primary election. The bill also would require each extension or drainage district candidate filing be accompanied by a \$5 filing fee. The county election officer would be required to remit the filing fees to the county treasurer for deposit in the county general fund.

Photo Identification for Voting (Sections 3 and 5)

The bill would add an ID card issued by an Indian tribe to the list of photo ID documents acceptable for proving a

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voter's identity when voting in person. The bill would include a definition of "Indian tribe."

The bill also would extend the provision of a free certified copy of a birth certificate to any person who is 17 years of age or older for the purposes of voting, if the applicant for the free copy lacks the photo ID required. (Current law allows a free copy only for the purposes of registering to vote.)

Campaign Contribution Limits for State Board of Education (Section 4)

The bill would increase the campaign contribution for State Board of Education candidates from \$500 to \$1,000 for each primary or general election. This limit would apply to these types of contributions:

- The aggregate amount contributed to a candidate, the candidate's candidate committee, and all party committees and political committees dedicated to the candidate's campaign, by any political committee or any person except a party committee, the candidate, or the candidate's spouse; and
- The amount contributed by each individual party committee of the same political party other than a national party committee to any candidate for office, for any primary election at which two or more candidates are seeking the party's nomination.

Conference Committee Action

The Conference Committee removed the original contents and added the provisions summarized above, which originated in HB 2715, HB 2437, and SB 17. (Provisions on subjects in the original bill were enacted in 2011.)

Background

Extension and Drainage District Elections

These provisions originated in HB 2715 as amended by the House Committee on Elections. At the hearing on the original bill, HB 2715 was supported by the Crawford County Clerk and Election Officer, who stated the bill would align the filing deadline for extension and drainage districts to the spring filing deadlines for the city and school district positions. The earlier filing deadline would allow time to prepare ballots to meet the requirements of the federal Uniform and Overseas Citizens Absentee Voting Act. The proponent also indicated the addition of the \$5 filing fee was for the purpose of making the fee uniform across the state. No opponents testified.

One neutral conferee, the attorney for the North Topeka Drainage District Board, asked for an amendment to clarify to which "odd-numbered" years the filing deadline language would apply, since governing board member elections occurred every four years. The House Committee on Elections amended the bill by changing the term "odd-numbered" to "election" years.

The Senate Committee on Ethics and Elections heard proponent testimony on HB 2715 from the Crawford County Clerk and Election Officer as a representative of the Kansas County Clerks and Election Officials Association. There was no other testimony.

Photo Identification for Voting

These provisions originated as House Committee on Elections amendments to HB 2437. HB 2437, as introduced, would have changed the starting date for requiring proof of citizenship to register to vote from January 1, 2013, to June 15, 2012. It was introduced by the House Committee on Elections at the request of the Secretary of State. Testifying

in favor of the bill were the Secretary of State and the election commissioners of Wyandotte, Johnson, and Sedgwick counties. Opponents included representatives of the Kansas Equality Coalition, the Westview Manor of Peabody, the KanVote Coalition, the National Association for the Advancement of Colored Persons (NAACP) (the Kansas State Conference and the Topeka Unit), the League of Women Voters, and Sunflower Community Action.

The House Committee on Elections amended the bill to add the Indian tribe ID card to the list of acceptable photo ID forms for voting in person, and to extend the provision of the free birth certificate copy for the purpose of voting.

The Senate Committee on Ethics and Elections heard proponent testimony from the Secretary of State, the Tribal Council Chairman of the Prairie Band Potawatomi Nation, and the election commissioners of Johnson and Wyandotte counties. Written proponent testimony was received from the Norton County Clerk. The Committee heard opponent testimony from Representative Ann Mah, from several private citizens, and from representatives of the League of Women Voters, the Kansas NAACP, AARP Kansas, the American Civil Liberties Union of Kansas and Western Missouri, the Peace and Social Justice Center of South Central Kansas, KanVote, and the Kansas Equality Commission. The Committee earlier had heard informational testimony from the Director of Vehicles regarding implementation of a computerized system to capture and transmit copies of documentation of proof of citizenship; under the federal Voter Registration Act of 1993, voter registration must be available where a driver's license is issued.

Campaign Contribution Limits for State Board of Education

These provisions originated in SB 17, as introduced. In 2011, Senator Steve Abrams, a former member of the State Board of Education, and the legislative coordinator for the

State Board of Education testified in support of the bill. They said each State Board district is four times the size of a State Senate district, and candidates experience difficulty raising money for their campaigns. There was no other testimony.

Campaign contribution limits for other offices, from the types of contributions listed above, are these:

- \$2,000 for statewide office;
- \$1,000 for state senator; and
- \$500 for House of Representatives, district judge, district magistrate judge, district attorney, or local office.

Fiscal Effects

According to the fiscal note on HB 2715, the Office of the Secretary of State indicated the \$5 fee instituted in the bill would increase revenue to the general fund in those counties that have drainage districts and extension councils. The amount of revenue would depend on the number of candidates who file for the elections. The Secretary of State further indicated that any fiscal effect resulting from the passage of this legislation would be negligible and could be absorbed within existing resources.

According to the fiscal note on SB 17, the original bill would have no fiscal effect on state or county revenues or expenditures. No fiscal note was available on the amendments to HB 2437 included in the Conference Committee report when the Committee took action.

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elections, extension, drainage district, identification, tribe, birth certificate, campaign contribution, board, board of education