

Approved: March 16, 2011
Date

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairman Schwab at 9:30 a.m., on March 14, 2011, in Room 546-S of the Capitol.

All members were present.

Committee staff present:

Doug Taylor, Office of Revisor of Statutes
Katherine McBride, Office of Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Jay Hall, Kansas Legislative Research Department
Diane Brian, Committee Assistant

Conferees appearing before the Committee:

Bryan A. Caskey, Assistant State Election Director, Office of the Secretary of State
Nathan Eberline, League of Kansas Municipalities
Sherrie L. Riebel, Allen County Clerk and Election Official
Donald P. Pyle, Crawford County Clerk and Election Officer
Ryan Kriegshauser, Deputy Assistant Secretary of State

Others attending:

See attached list.

Representative Gonzalez moved, seconded by Representative Tietze, to accept the minutes from March 7 and March 9 as received. Motion carried.

The Chair opened the hearing on **Substitute SB 127 – Elections; certain local units of governments; primaries**. Doug Taylor, assistant revisor, reviewed the bill.

Bryan A. Caskey appeared in support of the bill, (Attachment 1), stated that the Secretary of State's Office supports this bill because (1) it resolves the contradictory language that is in the law passed in 2008, and (2) it maintains the intent of the 2008 law by reducing the number of spring primaries. They offered an amendment to the bill to change references to member district elections in cities to elections by wards.

Nathan Eberline spoke in support of the bill, (Attachment 2), stated that this bill would serve to clarify the statutory changes that were promulgated in 2008 which gave rise to many questions from city officials.

Sherrie L. Riebel appeared in support of the bill, (Attachment 3), stated that the confusion of the current K.S.A. 2008 Supplement would be clarified by this bill.

Donald P. Pyle appeared in support of the bill, (Attachment 4), stated that this bill will clean up the discrepancies and make it clear that only two candidates will advance to the general election to vie for one position. As elections continue to come under closer scrutiny each year, we would appreciate cleaning up any inconsistencies in the state election statutes.

Written testimony in support of **Substitute SB 127** was submitted by:

Sharon Seibel, Ford County Clerk and Election Officer, (Attachment 5)

Janet R. Rumpel, Sherman County Clerk and Election Officer, (Attachment 6)

There was no opposition to the bill and the testimony was concluded. Discussion followed.

There being no further conferees, the hearing on **Substitute SB 127** was closed.

CONTINUATION SHEET

Minutes of the House Elections Committee at 9:30 a.m. on March 14, 2011, in Room 546-West of the Capitol.

The Chair opened the hearing on **SB 128– Presidential preference election; date delay**
Katherine McBride, assistant revisor, reviewed the bill.

Ryan Kriegshauser appeared before the committee with testimony supporting **SB 128**, (Attachment 7), stated that if the Legislature wishes to have a primary, it needs to appropriate the funds for it and dispose of the bill. If the Legislature does not wish to fund the primary, we urge passage of this legislation. He also mentioned that there are two technical changes included in this bill, The phrase “or darkened oval” has been included alongside language to “voting square(s).” This language is needed because often ballots include ovals instead of squares. Additionally, there is a change to allow the filing deadline to float because the date of the presidential preference primary can move if at least five other states have a presidential primary the same day. However, the date of the presidential preference primary must be chosen and certified by November 1 of the year before the primary.

There was no opposition to the bill and the testimony was concluded. Discussion followed.

There being no further conferees, the hearing on **SB 128** was closed.

Chairman Schwab called for final action on **SB 103 – Elections; absentee voting by military and others; federal services absentee ballots.**

Representative Rubin moved that the committee report out SB 103 favorably for passage. The motion was seconded by Representative Otto. Motion carried.

The next meeting is scheduled for March 16, 2011.

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