

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 9:30 a.m. on February 13, 2009, in Room 446-N of the Capitol.

All members were present except:

Senator David Wysong- excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes

Ken Wilke, Office of the Revisor of Statutes

Martha Dorsey, Kansas Legislative Research Department

Reed Holwegner, Kansas Legislative Research Department

Carolyn Long, Committee Assistant

Conferees appearing before the committee:

Dennis Pyle, Kansas State Senator

Anthony Hensley, Kansas State Senator

Kelly Kultala, Kansas State Senator

Others attending:

See attached list.

The Chair opened the discussion on **SB 186–Vacancy in office of lieutenant governor; notice of resignation from office of governor or lieutenant governor** and asked staff for a brief explanation of the bill. Currently there is no clear procedure in the statutes or Constitution and the vacancy is filled by the governor. The proposed bill would establish an order and calendar for resignation as well as require senate confirmation for gubernatorial appointments to the office of lieutenant governor when a vacancy occurs.

Testifying in favor of the bill was the sponsor, Senator Dennis Pyle. Senator Pyle testified that this would also provide some oversight to the appointment and he will work with the revisors for an amendment addressing the situation should a confirmation be necessary when the senate is not in session (Attachment 1).

There being no further questions, the hearing on **SB 186** was closed.

The hearing on **SB 193–Vacancy in office of United States Senator; procedure** was opened. The bill explanation given by staff indicated that current law contained similar language with regard to filling a vacancy for the United States House of Representatives and the proposed legislation parallels that law.

Senator Pyle stated this bill was first passed by the Senate and the House in February 2007 but was vetoed by the governor. The bill would provide uniformity and allow the voters to fill a Senate vacancy the same as they do for a House of Representatives vacancy (Attachment 2). The fiscal note for a special election is \$2 million dollars.

There being no further discussion, the hearing on **SB 193** was closed.

The Chair then opened the hearing on **SB 210–Counties; election commissioners** and recognized Senator Anthony Hensley. Senator Hensley informed the committee that current law states that in the four counties in Kansas having a population of over 130,000 there is an election commissioner appointed by the Secretary of State. All other counties have county clerks who are elected by registered voters. The intent of this bill is to provide the board of county commissions the authority to appoint the election commissioners in these four counties. Senator Hensley was asked to submit his testimony in writing.

Senator Kultala also lent her support to the bill indicating that further intent of the bill is to clear up any confusion created by the two methods (Attachment 3)

Written testimony in support of **SB 210** was submitted by:

Mike Taylor, Unified Government, Wyandotte County (Attachment 4).

CONTINUATION SHEET

Minutes of the Senate Ethics And Elections Committee at 9:30 a.m. on February 13, 2009, in Room 446-N of the Capitol.

Written testimony in opposition was submitted by:

Bruce Newby, Wyandotte County Election Office (Attachment 5)

Brian D. Newby, Johnson County Election Commissioner (Attachment 6).

The hearing on **SB 210** was closed.

The chair thanked all those in attendance.

The meeting adjourned at 10:22 a.m. The next meeting is scheduled for February 18, 2009.