

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairperson Mark Kahrs at 1:30 pm on Monday, February 02, 2015, 281-N of the Capitol.

All members were present except:

Representative Tom Sawyer – Excused

Representative Tom Burroughs, appointed substitute member to the committee

Committee staff present:

Cindy Lash, Legislative Research Department

Martha Dorsey, Legislative Research Department

June Christensen, Kansas Legislative Committee Assistant

Daniel Yoza, Office of Revisor of Statutes

Mike Heim, Office of Revisor of Statutes

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Possible bill introductions

Chairman Kahrs called the meeting to order. He made a motion to introduce four bills: transferability of campaign funds; campaign finance; creating city political committees; filling vacancies of certain offices and candidates; and spring elections. There were no objections.

Representative Esau moved to introduce a bill concerning campaign finance contributions. There were no objections.

Representative Claeys requested to introduce a bill that would change the election of extra county commissioners from appointment by Governor to a special election. There were no objections.

Discussion & action on: HB2082 — Lobbyist defined.

Chairman Kahrs said there were four bills to be worked today. Daniel Yoza, Kansas Revisor's Office, reviewed **HB2082**, which would change the amount of expenditures from \$100 to \$1000.

*Motion by Representative Campbell to move **HB2082** favorably from the committee. Representative Whitmer seconded the motion, and it carried.*

Discussion & action on: HB2083 — Campaign finance; reports; required information.

Chairman Kahrs said the next bill for discussion and action was **HB2083**. Mr. Yoza reviewed the bill that would strike "and industry" from the verbiage.

*Motion by Representative O'Brien, seconded by Representative Campbell, to pass **HB2083** favorably from the committee. The motion carried.*

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Discussion and Hearing on HB2104 - relating to filling vacancies

Chairman Kahrs presented the next bill, **HB2104**. Mr. Yoza reviewed the bill, which would address that removal of a candidate's name from the general election after he/she had won the primary election, could only be accomplished by reason of death. It also clarifies the meaning of "shall" and "may" relating to replacement of a removed candidate.

Motion by Representative Hildabrand, seconded by Representative Whitmer, that the bill be moved favorably from the committee.

After discussion regarding other things that could cause a candidate to be unable to serve, Representative Carmichael made the following motion: That the bill be tabled indefinitely; seconded by Representative Burroughs. The motion failed.

Representative Carmichael requested a division of the vote, and his, Representatives Alcala and Burroughs' votes were recorded as "nays."

Other discussion included giving more time to make the decision and passing a clean bill that would not have amendments made after reaching the floor.

Representative Hildabrand moved the motion, and it carried. Representatives Alcala, Burroughs, and Carmichael requested that their votes be recorded as "nays."

Discussion & action on: HB2108 — Elections; straight ticket ballots.

Daniel Yoza, revisor, reviewed **HB2108**. This bill would allow those who wished to vote a straight ticket to mark one box at the top of the ballot that would be the same for the remaining boxes. This would not affect special issues or nonpartisan elections and would be for the three major parties. If the voter wanted to split his or her ticket and vote for another candidate, that box would then be checked accordingly.

Discussion followed with several concerns: if the voter did not want to vote at all; software problems and who would bear the cost of reconfiguring or replacing it at the county level; ballot forms could be lengthy; and the need for educating poll workers and voters.

Representative Peck offered a Conceptual Amendment to the bill: that the revisors revise the bill and make the appropriate change from "make a check" to "make the appropriate mark" in the language of the bill. Seconded by Representative Hildabrand and carried.

Representative Carmichael moved to add a balloon amendment to page 7, following line 28, to insert subsection k to provide as follows: the state of Kansas shall reimburse the county election officer

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the cost of reprogramming and other costs associated with the implementation of this act. Seconded by Representative Burroughs.

Representative Carmichael requested to amend his motion that the revisors place the balloon amendment into the proper place in the bill. Representative Burroughs agreed to the amendment to the motion.

Mr. Yoza noted the proper place it could be placed and will do that.

The motion to amend the motion failed. Representative Carmichael and Burroughs asked that their "yea" votes be recorded.

Representative Campbell moved to accept the bill as amended. Seconded by Representative Whitmer.

Representative Peck said he would be voting against the bill even though he was in favor of it, but he believed it should be fixed in committee rather than on the floor. Representative Carmichael also said he would be voting against the bill because of the unknown cost of implementing it. Representative Campbell said the fiscal note on this bill indicated the cost could not be determined.

The motion to amend the bill carried. Representatives Carmichael and Burroughs requested their votes be recorded as "nays."

Announcements

The next meeting will be Wednesday, February 4, at 1:30 pm, Room 281-N.

Adjournment

Chairman Kahrs adjourned the meeting at 2:50 pm.