

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairperson Mark Kahrs at 1:30 pm on Wednesday, February 18, 2015, 281-N of the Capitol.

All members were present

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](#)

Approval of Minutes

Chairman Kahrs presented the February 2, 2015, minutes for approval.

Representative Campbell moved, seconded by Representative Powell, to approve the February 2, 2015, minutes as presented. Motion carried.

The February 4, 2015, minutes were presented for approval.

Representative Esau moved, seconded by Representative Campbell, to approve the February 4, 2015, minutes as presented. Motion carried.

Discussion & action on: HB2212 — City political committees.

Chairman Kahrs announced that four bills would be worked today, and if completed, no meeting would be held Monday. He introduced Daniel Yoza, revisor, to review **HB2212**, which would allow creation of city parties in addition to the state and county committees but would have to be approved by the state committee.

*Representative Whitmer moved to pass **HB2212** favorably from committee. Seconded by Representative Esau.*

Chairman Kahrs welcomed Representative Sawyer on returning to the committee. Representative Carmichael voiced objection to the bill, indicating it was not necessary. Representative Whitmer said he represents several cities and would support it; Representative Esau also said he would support it, because he could be able to share information with the city groups.

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Representative Whitmer moved to close the bill, and the motion carried. Representative Alcala requested his "nay" vote be recorded.

Discussion & action on: HB2214 — Procedure of appointment when certain vacancies of office or nomination occur.

Chairman Kahrs opened the discussion on **HB2214**. Daniel Yoza, revisor, reviewed the proposed bill that would revise four things: date of notification of death of a district officer; setting administrative rules in conference; use of e-mails for giving notice to the proper person; and withdrawal rules for primary candidates.

Representative Campbell expressed concern that notification by e-mail or other means rather than registered letter, with return receipt requested, might not be received by the proper party and said he believed there should be some sort of verification from them. Other discussion included different methods of sending and verification of the notification. Representative Esau said he believed the Governor's receipt of the notification would be verified by his/her appointment of a person to the position, and it should not be a problem. If no one was appointed in the designated time frame, the party who who had sent the notification would need to contact them.

Chairman Kahrs moved to present a balloon amendment to the bill: Revision to section 1. ([Attachment 1](#)). Seconded by Representative Whitmer. Motion carried.

Chairman Kahrs moved to amend the bill to remove section 2, which had been agreed to by Joan Wagon, chairperson of the Democrat Party, and Clay Barker, Chairman of the Republican Party as not necessary. Representative Sawyer seconded the motion. Chairman Kahrs closed on the amendment, and the motion carried.

Motion by Representative Esau that HB2214, as amended, be passed favorably from the committee. Motion carried.

Discussion & action on: HB2213 — Campaign finance; increasing contribution limits; contributions received during primary period.

Mr. Yoza reviewed **HB2213**, which would address the use of campaign funds received before the primary election and which was designated for general funds.

Chairman Kahrs moved to accept a balloon amendment to the bill that would not allow expenditure of general fund monies received during the primary election period. Seconded by Representative Sawyer. ([Attachment 2](#)).

Discussion concerned if funds received during the primary would be designated as the general election funds; how the candidate could keep track of the two funds; that Clay Barker was in support of the

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intent; that general money would be ready to go as soon as the primary election was completed; and if donors could give all the money at once.

Chairman Kahrs moved the balloon amendment to the motion, which carried.

Representative Esau moved to present a balloon amendment, which would allow \$2500 for any county officer whose district population exceeds that of a senatorial district. (Attachment 3). Discussion about which offices would be included; whether it was the state or national Senate districts; what the population number would be for Kansas Senate districts, which can vary; and which counties would be affected.

Mike Hein, revisor, said it could be a county with a population of more than 50,000 or whatever the Senate district population actually was.

After further discussion, Representative Esau offered to withdraw the motion to amend. There had been no second to the motion.

Representative Sawyer offered a conceptual amendment that it would only be for county offices, not school districts, and to double the present amounts of 25,000 to \$50,000 for national; \$15,000 to \$30,000 for state, \$5,000 to \$10,000 for county. Seconded by Chairman Kahrs. Representative Sawyer moved the motion, and it carried.

After further discussion, Chairman Kahrs placed the committee at ease until the Senate district population was determined. It was reported to be 75,000 or greater.

Representative Esau moved to amend the motion to strike out "that of a senatorial district" and replace with "75,000" in both places in the bill. Seconded by Representative Campbell.

Further discussion ensued. Representative Hildabrand said the counties affected would be Leavenworth, Wyandotte, Douglas, Shawnee, Sedgwick, and Johnson. Representatives Carmichael urged the committee to move cautiously. Representative Esau indicated support, and Representative Sawyer also expressed support, since local candidates are competing against third-party fundraisers, and it is hard for them to raise adequate funds.

Representative Esau moved the motion, which carried.

Representatives Carmichael and Alcala requested their votes be recorded as "nays."

Chairman Kahrs moved to pass the original bill, as amended. Mr. Yoza reviewed the proposed amendments. The motion carried.

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Discussion & action on: HB2215 — Campaign finance; transfer of campaign funds.

Mr. Yoza reviewed **HB2215** that concerns use of unexpended campaign funds for certain public officers and employees. He verified that there would be no limits on the types of contributions.

Chairman Kahrs moved to amend the bill with a balloon amendment that would not allow transfer of funds subject to the contribution limits of the office and that excess contributions would have to be returned to the donor. Seconded by Representative Esau. ([Attachment 4](#)).

There was discussion on how to determine which contributors' monies would be returned and for what time period. Clarification was that it would be for the current election cycle only. Other concerns were that a contributor might want to donate to a candidate for representative but not governor or other office. Other comments were that the bill already covers this.

Chairman Kahrs withdrew the balloon amendment to which the second, Representative Esau, agreed.

*Representative Peck moved that the House Elections Committee pass **HB2215** favorably for passage with no amendments. Seconded by Representative Powell.*

Representative Peck closed on the motion, which carried. Representative Alcala requested that his "nay" vote be recorded.

Cindy Lash, Legislative Research, distributed copies of a report that had been requested by Representative Esau. ([Attachment 5](#)).

Announcements

Chairperson Kahrs announced that Monday's meeting will be on call of the chair, and no other meetings are scheduled before March 4. Committee members will be notified as soon as a date is set.

Adjournment

Chairman Kahrs adjourned the meeting at 3 pm.