

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairperson Mark Kahrs at 1:00pm on Wednesday, March 11, 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:

Senator Mitch Holmes
Jim Howell, Sedgewick County Commission, District 5
Dr. Walt Chappell, Executive Director, Educational Management Consultants
(Former Member of Kansas State Board of Education)
Clay Barker, Executive Director of the Kansas Republican Party
Chris Brown, Kansans for Liberty
Craig Gabel, Kansans for Liberty
Dale Goter, City of Wichita
Michael Koss, Legal Counsel, League of Kansas Municipalities
Rod Steward, President, Kansas Association of School Boards
Jamie Shew, Douglas County Clerk
Darci Meese, Water One, Johnson County, Kansas
Jason A. Gage, Kansas Association of City/County Management (KACM)
Doug Glenn, former USD 501 Board of Education Member

Others in attendance:

[See Attached List](#)

Hearing on:

Subs SB171 - Elections and voting; relating to certain municipalities and special districts.

Chairman Kahrs opened the hearing on **Subs. SB171**. He introduced Mike Heim, revisor, to present an overview. Mr. Heim reviewed the revisions that had been made to the original bill: Municipalities - Governing Body Elections; Bond Issues and Tax Elections; Filling Vacancies for Cities and Consolidated Cities/Counties; Cities, Forms of Government; and other miscellaneous election matters.

Proponents:

Chairman Kahrs introduced Senator Mitch Holmes, who spoke as a proponent of the bill. ([Attachment 1](#)). ([Attachment 2](#)). He gave the history of the bill, *Help Kansas Vote Act*, which is an effort to increase

CONTINUATION SHEET

MINUTES of the Committee on Elections at 1:00pm on Wednesday, March 11, 2015, 281-N of the Capitol.

informed voters and encourage future voters. The materials were compiled by an interim committee and include information from other states that are already doing this. He explained the revisions to the bill, including ballot length and styles; doing away with nonpartisan races; making precinct positions a four-year term; informing voters and encouraging young people to vote; and establishing schools as polling places with a one-year notice. He also explained other issues and answered committee members' questions regarding experiences by other states; comparisons of voter participation between cities that have odd- or even-year elections; length of ballots, mail-in voting; bond and other special elections; and if current technical equipment can analyze the data.

Chairman Kahrs introduced Jim Howell, Sedgwick County Commission member, who testified in support of the bill, noting that the time frame for military ballots is restricted to get the ballots made, sent, and returned within that time. He also was concerned about the low voter turnout in odd-number election years and urged the committee to move all elections to the fall. ([Attachment 3](#)).

Chairman Kahrs introduced Dr. Walt Chappell, former Kansas State Board of Education member, who also spoke in favor of the bill. He said the low-spring voter turnout is cause for changing to fall elections. He urged future elections be in even years and be nonpartisan. ([Attachment 4](#)). He also distributed copies of a comparison of the 2013 spring and fall general elections. ([Attachment 5](#)).

Chairman Kahrs introduced Clay Barker, executive director of the Kansas Republican Party. He testified as a proponent and said the low-voter turnout, the time to file as a candidate, and possible nonqualified candidates for local and school board elections that oversee large sums of money are concerns. The party urges the passage of a bill that has only fall elections and for them to be partisan. ([Attachment 6](#)).

Chairman Kahrs introduced Chris Brown, Kansans for Liberty, who testified as a proponent, and said he believed fall elections would be better and more cost-effective for the state. He said the voter participation percentages in Sedgwick and Johnson Counties were very low in the spring elections compared with the fall of 2014. He also suggested elections be considered from Friday beginning at 7 am and closing at 6 pm on Saturday. ([Attachment 7](#)).

Chairman Kahrs introduced Craig Gabel, Kansans for Liberty, as a proponent. He indicated it is hard to campaign in the spring, and the weather is often not conducive to getting people out on election day. He said the very low percentage of voters are the ones who elect candidates that are responsible for 60 percent of the tax dollars the state spends. ([Attachment 8](#)).

Several of those testifying stood for questions.

Written testimony was received from the following proponents: Steve Roberts, former member of the Kansas State Board of Education, ([Attachment 9](#)); Dennis Wilson, member of the Larned City Council, ([Attachment 10](#)); Joy Eakins, member of the Wichita USD 259 Board of Education, ([Attachment 11](#));

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES of the Committee on Elections at 1:00pm on Wednesday, March 11, 2015, 281-N of the Capitol.

Larry Alley, former USD 398 Board of Education member, ([Attachment 12](#)); and Donna Berland, Coffey County Board of Commissioners, ([Attachment 13](#)).

Opponents:

Chairman Kahrs introduced Dale Goter, Government Relations Manager for the city of Wichita, as an opponent of the bill. He said the city opposed the original bill and opposes the substitute bill as well as any subsequent versions, as there has been no public support for change and that local control is important. It is satisfied with the nonpartisan elections conducted in the spring of odd-numbered years. ([Attachment 14](#)).

Chairman Kahrs introduced Michael Koss, Legal Counsel for the League of Kansas Municipalities, which represents cities and city/county entities. It opposes the bill on the basis of restriction of bond and special elections; requiring special elections to fill vacancies; constitutional questions; combining elections; increasing ballot length; little or no cost-savings; and there are better options to increase voter turnout. ([Attachment 15](#)).

Chairman Kahrs introduced Rod Stewart, president of the Kansas Association of School Boards (KASB), as an opponent of the bill. Mr. Stewart cited objections to partisan elections and moving school board elections from April to November of even-numbered years. KASB supports local school board control on use of buildings and believes that the current system is working well. ([Attachment 16](#)).

Chairman Kahrs introduced Darci Meese, government affairs coordinator of Water One, Johnson County, who spoke in opposition of the bill, particularly moving the elections, as election of water board members is done according to statute. She also said the change would allow voters that are not in their district to vote for their directors, and if special elections to elect board members are called, the water district is liable for the expense. ([Attachment 17](#)). She requested the committee not to pass the bill.

Chairman Kahrs introduced Jason Gage, who spoke on behalf of the Salina City Commission in opposition to the bill. Concerns include the proposed election cycle changes, making the commission members partisan, and repealing the city manager form of government. He made several suggestions that might be included that would address their concerns. ([Attachment 18](#)).

Chairman Kahrs introduced Doug Glenn, former Topeka USD 501 board member, who spoke in opposition of the proposed substitute bill. He said the current nonpartisan form of choosing board members would eliminate conflict between party wishes and what is best for students. The fiscal June 30 to July 1 years allows board members to be seated during summer break instead of a mid-school year and that he believed local autonomy and community control are important. ([Attachment 19](#)).

CONTINUATION SHEET

MINUTES of the Committee on Elections at 1:00pm on Wednesday, March 11, 2015, 281-N of the Capitol.

Chairman Kahrs introduced Jamie Shew, Douglas County Clerk and president of the Kansas County Clerks and Election Officials Association, as an opponent to the proposed legislation. The Association supports the portion of the bill that eliminates spring elections that might increase voter turnout. It opposes consolidation to a single even-year cycle that would greatly increase the number, style, and cost of ballots and that there would be increased costs for elections. The Association suggests the possibility of mail-in ballots that will increase voting and that other methods could also be considered. ([Attachment 20](#)).

Additional questions were asked of those testifying.

Written testimony was received from the following: Stacia D. Long, Seward County clerk, ([Attachment 21](#)); Sherrie L. Riebel, Allen County clerk, ([Attachment 22](#)); Angie Kerchner, Coffey County clerk, ([Attachment 23](#)); Richard T. Boeshaar, Mission Hills mayor, ([Attachment 24](#)); Peggy J. Dunn, Leawood mayor, ([Attachment 25](#)); Linda Fund, Kansas Association of Community College Trustees, ([Attachment 26](#)); Katie Kellin, city of Shawnee, ([Attachment 27](#)); Jeff Cantrell, city manager, city of Chanute, ([Attachment 28](#)); Whitney Damron, lobbyist for city of Topeka, ([Attachment 29](#)); Shannon Kimball, president, Lawrence USD 497 Board of Education, ([Attachment 30](#)); Gregory S. Kindle interim president of the Kansas City, Kansas, Chamber, ([Attachment 31](#)); Mike Amyx, mayor of city of Lawrence, ([Attachment 32](#)); Rick Piepho, county clerk and election commissioner, Harvey County, ([Attachment 33](#)); Deb Zila, president, Shawnee Mission USD 512 Board of Education, ([Attachment 34](#)); Lori Augustine, Trego county clerk and election officer, ([Attachment 35](#)); Karen Madison, Cowley County clerk and election officer, ([Attachment 36](#)); Peggy Minor, Labette County clerk, ([Attachment 37](#)); Sharon Wolters, Smith County clerk and election officer, ([Attachment 38](#)); Sarah Rains, Hodgeman County clerk and election officer, ([Attachment 39](#)); Donald D. Pyle, Crawford County clerk and election officer, ([Attachment 40](#)); Kathy Sexton, Derby city manager, ([Attachment 41](#)); Diane Gjerstad, governmental relations coordinator, Wichita USD 259 Public Schools, ([Attachment 42](#)); Rodney D. Edmonson, Cherokee county clerk and election officer, ([Attachment 43](#)).

Neutral:

Chairman Kahrs introduced Nathan Eberline, legal counsel for the Kansas Association of Counties (KAC), who presented neutral testimony. While the KAC approves moving elections from spring to fall, it opposes moving to the fall of even-numbered years with locals at top of the ballot. Its concerns are long ballots and increased costs, and they believe there are other measures to increase voter turnout, ([Attachment 44](#)).

Adjournment

The next meeting will be held Monday, March 16, at 1:30 pm. Chairman Kahrs adjourned the meeting at 3:08 pm.