

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairperson Mitch Holmes at 9:35am on Wednesday, March 11, 2015, 142-S of the Capitol.

All members were present

Committee staff present:

Jill Shelley, Legislative Research Department
Martha Dorsey, Legislative Research Department
Darla Conner, Kansas Legislative Committee Assistant
Daniel Yoza, Office of Revisor of Statutes

Conferees appearing before the Committee:

Kris Kobach, Kansas Secretary of State

Others in attendance:

[See Attached List](#)

Hearing on: HB2104 — Elections; filling vacancies of nominations.

Chairman Holmes opened the hearing on **HB2104** when a quorum of the committee was present.

An overview of **HB2104** was given by Martha Dorsey, Legislative Research Department..

Kris Kobach, Kansas Secretary of State, appeared before the committee as a proponent for **HB2104**. [\(Attachment 1\)](#) Secretary Kobach told the committee this bill is a legislative effort intended to correct judicial misinterpretation of the law and to prevent judicial misinterpretation of the law in the future. The Secretary then gave a history as to why this bill had become necessary. His office had drafted **HB2104** in order to prevent the courts from changing the rules by misinterpreting the law. The bill makes clear to judiciary that "shall" means "shall", imposing a mandatory obligation to fill ballot vacancies and removes the option of withdrawing by declaring an incapacity to fulfill the duties of the office. Secretary Kobach stood for questions from the committee.

There being no further conferees, the Chairman closed the hearing on **HB2104**.

Senator Fitzgerald introduced his pages from Leavenworth High School: Morgan Savage, Alaine Sloan, Jane Song, Abigail Waugh, and Annaliese Waugh.

Senator Arpke introduced his pages from Solomon High School: Leah Werling and Alex Azim.

The next meeting will be March 12, 2015.

The meeting was adjourned at 10:21 am.