

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Carol Dawson, at 9:00 a.m. on January 17, 1996 in Room 521-S of the Capitol.

All members were present except: Rep. Dee Yoh, Excused

Committee staff present: Dennis Hodgins, Legislative Research Department  
Carolyn Rampey, Legislative Research Department  
Jim Wilson, Revisor of Statutes  
Donna Lutjohann, Committee Secretary

Conferees appearing before the committee: Paul Shelby, Div of the Courts

Others attending: See attached list

**HB 2597: contested elections**

Chair Carol Dawson opened the hearing on **HB 2597** and asked the Legislative Research Department to brief the Committee regarding the bill. Mr. Hodgins explained that the bill defines and sets guidelines to have a three judge panel review contested elections.

The Chair recognized Paul Shelby as a proponent of the bill. He testified that this bill is an improvement to the current method and would make it easier to find judges to serve. See Attachment 1.

Chairman Dawson closed the hearing on **HB 2597: contested elections**.

**HB 2598: contest elections; enables contestant to use campaign funds to pay costs incurred by the contested election.**

The Chair announced that no conferees were slated to testify but Carol Williams from the Office of Governmental Standards and Conduct was present. The Chair recognized Carol Williams who advised the Committee that an opinion from her office was given at the time of the last contested election and the opinion was that campaign funds could be used to help pay for costs incurred by the contested election including attorney fees. She stated that the Interim Joint Committee on Elections wanted the statute change in order to support the opinion issued. The hearing was closed on **HB 2598: contest elections; use of campaign funds**.

The Chair made further announcements. The minutes for January 11, 1996, were brought to the Committee's attention. Rep. Benlon made a motion to approve the minutes. Rep. O'Connor seconded the motion. The motion carried.

Chairman Dawson adjourned the meeting at 9:35 a.m. with the next meeting scheduled January 18, 1996 in Room 521-S of the Capitol.



1996 House Bill No. 2597  
House Governmental Organization and Elections Committee  
January 17, 1996

Testimony of Paul Shelby  
Assistant Judicial Administrator  
Office of Judicial Administration

Madam Chair and committee members:

We appreciate the opportunity to appear before the committee and support House Bill No. 2597 which changes the procedure for hearing contested legislative elections among state senators and representatives.

The bill eliminates the system in which a single judge from the district in which the election is being contested was selected by the contestants, replacing it with a procedure in which the Chief Justice of the Kansas Supreme Court selects a panel of three district judges from outside the district in which the election is being contested to hear evidence and decide the election.

We think this bill is a vast improvement over prior procedures. It takes the parties out of the judicial selection process and assigns judges outside the district which should make it easier to find judges willing to serve. The time frames are tight but should be workable.

We urge the committee to pass the bill favorably.