

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on February 1, 2000, in Room 529-S of the Capitol.

All members were present except: Senator Praeger
Senator Steineger
Senator Petty

Committee staff present: Dennis Hodgins, Legislative Research Department
Mike Heim, Legislative Research Department
Ken Wilke, Revisor of Statutes
Graceanna Wood, Committee Secretary

Conferees appearing before the committee: Dan Hermes, Director of Governmental Affairs

Others attending: See attached list

Chairman Hardenburger opened the meeting by asking for approval of the minutes of January 25 and 26, 2000.

Senator Gooch moved that the minutes be approved as written, seconded by Senator Vidricksen. Motion carried.

Chairman Hardenburger requested a bill be introduced concerning recall petitions. The bill would add a qualifier to the existing statutes that would release a County Attorney from the responsibility of verifying the reason for recall contained on that petition.

Senator Becker moved that the bill be introduced, seconded by Senator Gooch. Motion carried.

Chairman Hardenburger opened hearings on **SB 463 concerning the term of office for certain elected state officials, and repealing the existing section.**

Dan Hermes, Director of Governmental Affairs, presented testimony in favor of **SB 463**, advising the Committee that this bill would clarify that it would authorize the Governor to select a qualified replacement in the event that a vacancy would exist in the office of Lieutenant Governor, Secretary of the State, State Treasurer, and Attorney General. (Attachment #1)

The Committee discussed if the Governor would have to select an individual from the same political party for the vacancy replacement.

Chairman Hardenburger closed hearings on **SB 463** and opened hearings on **SB 465 concerning elections, and repealing the existing section.**

Dan Hermes, Director of Governmental Affairs, presented testimony in favor of **SB 465**. He advised the Committee that this bill provides that for political parties, their constitution and their bylaws will govern in the event of a vacancy for officers and committees. (Attachment #2)

Chairman Hardenburger informed the Committee that this effort proposed by the Governor is a continued effort to remove some of the statutes that still exist that refer to party rules.

Chairman Hardenburger closed hearings on **SB 465**. **SB 463** will be discussed further at another meeting.

Senator Gooch moved that **SB 465** be passed out favorably and placed on Consent Calendar, seconded by Senator Lawrence. Motion carried.

Meeting was adjourned at 2:00 p.m. Next meeting is scheduled for February 2, 2000.

STATE OF KANSAS

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OFFICE OF THE GOVERNOR LEGISLATIVE TESTIMONY

TO: Chairperson Janice Hardenburger and Members of the Senate Committee on Elections and Local Government

FROM: Dan Hermes, Director of Governmental Affairs

DATE: February 1, 2000

SUBJECT: SB 463 and SB 465

Madam Chair and members of the committee, thank you for the opportunity to appear today to discuss the Governor's proposals to make minor changes in the state's election laws. These bills address two areas in our laws that have generated some confusion in the past several years.

SB 463

This bill clarifies that the Governor would select a qualified replacement in the event that a vacancy would exist in the office of Lieutenant Governor, Secretary of the State, and Attorney General. As you may recall, there were questions raised when the office of Lieutenant Governor was vacant several years ago. This power is already specified in statute for the State Treasurer and the Insurance Commissioner.

SB 465

This bill provides that for political parties, the constitution and the bylaws of the party will govern in the event of a vacancy for officers and committees. Current law provides that the vacancy will be filled in the manner the officer was originally chosen. If the party constitution or bylaws does not specify a manner to fill vacancies in officers, it reverts to current law. Political parties are not agencies of the state and this bill attempts to allow the political parties to govern their own activities.

I would be happy to respond to any questions.

Senate Elections & Local Government
Date: 2-1-00
Attachment # 1

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OFFICE OF THE GOVERNOR

LEGISLATIVE TESTIMONY

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Senate Elections & Local Government
Date: 2-1-00
Attachment # 2