

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 p.m. on February 11, 2004 in Room 526-S of the Capitol.

All members were present except:
Representative Bonnie Huy- excused

Committee staff present:
Martha Dorsey, Legislative Research Department
Dennis Hodgins Legislative Research Department
Ken Wilke, Office of Revisor of Statutes
Shirley Weideman, Committee Secretary

Conferees appearing before the committee:
Karen Hartenbower, Lyons County Election Clerk/Officer

Others attending: See Attached List.

Chairmen Myers opened the hearing on **HB 2642 - Elections; change in time period for primary election publication notices.**

Karen Hartenbower, Lyons County Election Clerk appeared before the committee as a proponent for **HB 2642.** She said that the county election clerks request more time for publication of notices in primary elections. Advanced voting begins 20 days before the election and the clerks need more time to get publications mailed to candidates and party chairs. She indicated that if the party chair suggests changes to the ballots, there are only 11 days left before the election, which is not enough time make those changes. Ms. Hartenbower told the committee that this bill would help correct the difficulty they have now by providing 30 days instead of 11 to prepare the ballot. (Attachment 1)

Brad Bryant, representing the Secretary of State's Office and Karen Hartenbower answered questions asked by committee members about any increase in cost for the delay and the reason for changing procedures now.

The hearing on **HB 2642** was closed by Chairman Myers.

Chairman Myers said that the committee would work **HB 2642.**

Representative Sawyer moved and Representative Gilbert seconded the motion that HB 2642 be passed favorable from committee and put on the consent calendar. The motion passed.

The hearing on **HB 2643 - Elections; elimination of ballot rotation in certain elections** was opened by Chairman Myers.

Karen Hartenbower, Lyons County Election Clerk was a proponent for **HB 2643.** She explained that the County Clerks' Election Committee would like to have the rotation in spring elections to be simple alpha rotation on the ballots for second and third class cities and for school elections. (Attachment 2)

Ms. Hartenbower and Brad Bryant from the Secretary of State's Office answered committee members' questions regarding whether there was a cost savings in non-rotated ballots, fairness or lack of fairness to those at the end of the alphabet who are always on the bottom of the ballot, the size of second and first class cities and how rotation is done in large cities.

Chairman Myers closed the hearing on **HB 2643** and said that the committee will work the bill.

Representative Wilson moved to amend HB 2643 on lines 17 and 24 by inserting "reversed" before alphabetical order. Representative Sawyer seconded the motion. With 9 votes for and 6 votes against, the motion passed.

CONTINUATION SHEET

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE at 3:30 p.m. on February 11, 2004 in Room 526-S of the Capitol.

Representative Wilson moved to **amend HB 2643 with a conceptual amendment** to eliminate the ballot rotation when there is the same number of individuals running for the same number of positions, but using a ballot rotation when there is the larger number of candidates running for a fewer number of positions. Representative Svaty seconded the motion. After discussion, Representative Wilson withdrew his motion and Representative Svaty withdrew his second.

Representative Wilson moved and Representative Svaty seconded the motion to **move HB 2643 as amended favorably** from committee. The motion failed.

The meeting was adjourned at 4:10 p.m. The next scheduled meeting is February 16.

**KAREN K. HARTENBOWER
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February 11, 2004

Chair Representative Don Myers and Committee:

Today I am testifying as a proponent of HB2642 concerning publication notices in primary elections. We have several old statutes that give too short of time for publication to be sent before advance voting begins. Advance voting begins 20 days before the election.

We need more time to get publications mailed to candidates and party chairs. Currently the party chair can suggest changes to the ballots. We try to comply with their wishes but at 11 days before the election there is no way we can change the ballot. You would have people voting different ballots. We want to have the time to change the ballot before advance voting especially if there is an error in spelling, etc.

Please approve this bill.



Karen K. Hartenbower

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February 11, 2004

Chairman Representative Don Myers and Committee:

I am testifying as a proponent of HB2643 concerning eliminating ballot rotation in certain elections. Our Election Committee would like to have the rotation in spring elections to be simple alpha rotation. The statutes state *in various possible orders*. We think it would be a better practice if we all did the same thing. This is where other states get in trouble. The election officials are administering election laws differently.

We ask that you approve this bill.



Karen K. Hartenbower