

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Barbara P. Allen at 1:30 p.m. on February 11, 2003 in Room 245-N of the Capitol.

All members were present except:

Committee staff present: Ken Wilke, Revisor of Statutes
Mike Heim, Legislative Research
Dennis Hodgins, Legislative Research
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee: Brad Bryant, Deputy Assistant Secretary of State
Senator Huelskamp

Others attending: see attached list

Mike Heim, Principal Analyst, passed out to committee an explanation of the Open Meetings Act per request of Chairperson Allen. The Chair had made the request at the hearing on January 30, 2003, regarding **SB 76 - concerning public meetings**. (Attachment 1).

Hearing on

SB 95 - Elections; names of political parties

Chairperson Allen opened the public hearing on **SB 95**. The Chair welcomed Brad Bryant to the committee as it was hearing three of the Secretary of State's bills today. Brad furnished testimony in support of **SB 95**. The bill has two provisions: (1) it removes unnecessary restrictions on the number of words in the names of parties, and (2) it repeals unconstitutional laws banning seditious political parties (Attachment 2).

Committee questions and discussion followed. There being no further conferees to come before the committee, the Chair closed the hearing on **SB 95**.

SB 101 - Elections; presidential primary

Brad Bryant presented testimony in support of **SB 101**. He stated although the Secretary of State's office had requested this bill, they do not favor its passage. Secretary of State favors holding the presidential primary, and encourage the legislature to appropriate funds for it. If the legislature chooses not to fund the primary, it would be better to enact **SB 101** in the 2003 session rather than wait until 2004 when some of the cost and effort in planning for the primary will already have occurred (Attachment 3).

The Chair made mention to committee the fiscal note had been passed out and the funding was not included in the Governor's budget.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT at on February 11, 2003 in Room 245-N of the Capitol.

After committee discussion and no others to testify on the bill, the Chair closed the hearing on **SB 101**.

SB 109 - Counties; county assumption of certain cemetery lands

Chairperson Allen opened the hearing on **SB 109**. Senator Huelskamp, recognized by the Chair, distributed written testimony from C. Edward Young, Administrator from Seward County from Southwest Kansas. **SB 109** came in reference to an issue that developed in Seward County. The township board was unable to take care of a cemetery and brought the transfer control or ownership to the county. At that time the county was open to taking care of it, however under the current statutes, the cemetery would have to set vacant for 5 years before the county could take on the management control of that cemetery (Attachment 4).

The fiscal note passed out enactment of **SB 109** would have no fiscal effect on the state. There being no other conferees to testify on **SB 109**, the hearing was closed.

A motion by Senator Huelskamp to pass **SB 109** favorable and place on the consent calendar, seconded by Senator O'Connor. The motion carried.

SB 102 - Elections; counting of ballots

Chairperson Allen welcomed Brad Bryant back to committee and opened the hearing on **SB 102**

Brad presented testimony in support of **SB 102**. This bill was proposed by the Secretary of State as a ballot bill. (1) Sections 1 and 2 close a loophole in existing law that could allow a voter to cast two ballots, one before the election and one on election day, and have them both count. (2) Section 3 of the bill requires the counting of partial provisional ballots if a voter casts a ballot in the wrong precinct as long as it is in the same county (Attachment 5).

There being no others to testify on **SB 102**, the hearing was closed.

Senator O'Connor moved to pass **SB 95** out favorably, seconded by Senator Clark, motion carried.

The Chair brought the committee's attention to the meeting tomorrow, Wednesday, February 12, 2003. The committee will be hearing **SB 103 - Elections; recall procedures**. Chairperson Allen recognized Mike Heim, Legislative Research to give a brief overview of **SB 103** to the committee today. Tomorrow the committee will go straight to the hearing of **SB 103**.

Adjournment

The meeting adjourned at 2:30 p.m. The next meeting is scheduled for tomorrow, Wednesday, February 12, 2003.