

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairperson Mark Kahrs at 1:30 pm on Wednesday, January 28, 2015, 281-N of the Capitol.

All members were present except:

Representative Tom Sawyer – Excused

Representative Tom Burroughs, appointed substitute member to the committee

Committee staff present:

Cindy Lash, Legislative Research Department

Martha Dorsey, Legislative Research Department

June Christensen, Kansas Legislative Committee Assistant

Daniel Yoza, Office of Revisor of Statutes

Mike Heim, Office of Revisor of Statutes

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Bill introductions

Chairman Kahrs called the meeting to order. He recognized Representative Esau for bill introductions. Representative Esau introduced Use of school buildings for polling places. Chairman Kahrs moved to approve the introduction with no objections.

Representative Esau introduced Campaign finance during elections with contributions. Chairman Kahrs moved to approve the introduction with no objections.

Hearing on: HB2104 — Elections; filing vacancies of nominees.

Chairman Kahrs introduced Daniel Yoza, Revisor, who reviewed **HB2104**.

Chairman Kahrs introduced Kansas Secretary of State, Kris Kobach, as a proponent for **HB2104**.

Mr. Kobach explained that the bill is in direct response to two Kansas court decisions that he believed to be erroneous. One concerned the issue of candidates filing for office and then withdrawing after the primary election, which had been addressed by the 1997 Legislature, but which had not been strictly enforced. The proposed law would make it clear that there would only be one way to remove the candidate's name after the primary election and before September 1, and that would be death. In addition, the involved political party "shall" fill the position with the provisions specified by statute. [\(Attachment 1\)](#). Mr. Kobach stressed that he believed the Courts have overstepped their jurisdiction and that the Legislature makes the laws, and they should abide by them. Mr. Kobach stood for questions that were: whether the statute change would eliminate the problem, as the courts could still make a decision; what would happen if the candidate died after the election; what would happen if the party could not find a suitable candidate to run; and if elected candidates would move after the primary election, possibly with their or their spouses' job.

CONTINUATION SHEET

MINUTES of the Committee on Elections at 1:30 pm on Wednesday, January 28, 2015, 281-N of the Capitol.

There were no opponents or neutral conferees, so Chairman Kahrs closed the hearing on the above bill.

Hearing on: HB2108 — Elections; straight ticket ballots.

Representative Kahrs introduced Daniel Yoza, Revisor's office, who reviewed **HB2108**. There were no questions.

Secretary of State Kris Kobach presented testimony as a proponent for the bill. The bill would allow for straight-ticket voting, and the voter could vote for a slate of candidates by checking one box, which would include all the offices on that portion of the ballot. If the voter wished to vote for another party in that portion, that candidate(s) name could be checked. This would not include special ballot issues. Advantages would be that the voter would not have to mark each box separately, and should a proposed change from spring elections to be included in the November general elections, it could help eliminate "voter fatigue" that often happens by the time the voter gets to the end of the ballot. He presented statistics that showed the highest percentage of voting to be at the beginning of the ballot and decreasing for each office to the end of the ballot. ([Attachment 2](#)). The use of photo identification and electronic poll books has significantly helped waiting times, and this would further lower voter waiting time. It would also help eliminate longer ballots.

Mr. Kobach answered questions and clarified issues raised.

There were no opponents or neutral testimony. Written testimony was presented by Representative Carmichael. He explained his objection to the proposed legislation, namely that this kind of ballot could cause "mindless voting." ([Attachment 3](#)) and ([Attachment 4](#)).

Chairman Kahrs closed the hearing on **HB2108**.

Bill introductions

Chairman Kahrs moved to introduce three bills: campaign finance; ground transportation and increasing gift limits; political campaigns; and political campaign technology. There were no objections.

Discussion & possible action on:

Due to time constraints, the discussion and possible action of previously introduced bills will be placed on the Monday, February 2, 2015, agenda.

Announcements:

Representative Kahrs announced that **HB2082**, **HB2083**, **HB2104**, and **HB2108** will be placed for discussion and final action on the Monday, February 2, 2015.

CONTINUATION SHEET

MINUTES of the Committee on Elections at 1:30 pm on Wednesday, January 28, 2015, 281-N of the Capitol.

Adjournment

Chairman Kahrs adjourned the meeting at 2:55 pm. The next meeting will be Monday, February 2, 2015, at 1:30 pm, Room 281N of the Capitol building.