

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairman Steve Huebert at 3:30 p.m. on February 11, 2009, in Room 446-N of the Capitol.

All members were present except:

Representative Mike Peterson  
Representative Bob Bethell

Committee staff present:

Ken Wilke, Office of the Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Jill Shelley, Kansas Legislative Research Department  
Florence Deeter, Committee Assistant

Conferees appearing before the committee:

Representative Ann Mah, District 53  
Steve Kearney, Executive Vice-President/General Counsel, Kansas State Troopers Association

Others attending:

See attached list.

Hearing on **HB 2158** - Kansas highway patrol; elective and appointed offices allowed.

Ken Wilke, Office of the Revisor of Statutes, explained the intent of the bill is to allow highway patrol persons to hold elective community positions or offices. A definition of the governing body or municipality is explicitly defined and includes a broad spectrum of boards of service.

Representative Ann Mah, District 53, spoke as a proponent of the bill stating that members of the Highway Patrol whose desire is to serve in a non-partisan position need the freedom to do so without experiencing conflict with their patrol duties (Attachment 1). She recommended the committee pass the bill favorably.

Steve Kearney, Executive Vice-President/General Counsel, Kansas State Troopers Association, addressed the committee as a proponent of **HB 2158**, explaining the outdated provision prohibits Highway Patrol members from holding any commission or office other than National Guard or military service (Attachment 2). Present statutes do not permit any employment without the superintendent's approval; some officers are appointed to hold dual commissions with the Kansas Bureau of Investigation or may be assigned task forces.

Sargeant Mark Bruce, Kansas State Highway Patrol, spoke as a representative of the department to requesting freedom for outside employment and community service for members when there is no conflict of interest with daytime responsibilities as Highway Patrol personnel.

There being no opponents to **HB 2158**, the hearing was closed.

Hearing on **HCR 5010** - Constitutional amendment providing method for filling vacancies in executive offices.

Ken Wilke explained that the resolution would amend the constitution regarding how vacancies are to be filled in the event a disability occurs for any officer of the state. At the present, there is no definition of the word "disability"; discussion ensued to redefine "disability" for clarification.

Representative Mike Burgess addressed the committee, saying a process is needed to define how the office of Lieutenant Governor is filled. He recommended the bill be passed favorably.

The Chairman closed the hearing on **HCR 5010**.

The Chairman entertained a motion to consider **HB 2066** - Elections; HAVA compliance, voter identification requirements, party affiliation declaration.

Brad Bryant, Deputy Assistant, Secretary of State, distributed a document of the proposed amendment to the

CONTINUATION SHEET

Minutes of the House Elections Committee at 3:30 p.m. on February 12, 2009, in Room 446-N of the Capitol.

bill (Attachment 3). Representative Schwab made a motion to amend the bill. Representative Horst seconded the motion. The motion to amend passed. Representative Schwab made a motion to pass the bill favorably as amended. Representative Horst seconded the motion. The motion passed.

The Chairman entertained a motion to consider **HB 2193** - Campaign finance; filing of certain reports by certain candidates for state office.

Representative Schwab recommended the bill as favorable for passage. Representative Connie O'Brien seconded the motion. The motion passed. Representative Connie O'Brien will carry the bill.

The Chairman entertained a motion to consider **HB 2244** - Campaign finance; report of unitemized contributions.

Representative Schwab moved to amend the bill to raise the campaign finance reporting level from \$1,000 to \$5,000. Representative Menghini seconded the motion. The motion to amend the bill passed. Representative Huebert made a second motion to amend changing the wording of "person" to "candidate." Representative Schwab seconded the motion to amend. The motion passed.

Representative Schwab made a motion to recommend the bill as favorable for passage as amended. Representative Brunk seconded the motion. The motion passed.

The meeting was adjourned at 4:45 p.m. The next meeting is scheduled for February 16, 2009.