

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairman Steve Huebert at 3:30 p.m. on March 4, 2009, in Room 446-N of the Capitol.

All members were present except:

Representative Mike Peterson- excused

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:

Brad Bryant, Deputy Assistant Secretary of State  
Mick Urban, Manager, Governmental Affairs, Kansas Gas Service  
Wes Ashton, Black Hills Energy  
Mike Reeht, Atmos Energy  
Kimberley Gensur-Svaty, Kansas Municipal Utilities

Others attending:

See attached list.

**SB 55** - Concerning ballots by uniformed and overseas citizens and federal services voters.

Ken Wilke, Office of the Revisor of Statutes, outlined the proposed changes in **SB 55**, saying that each of the three sections contain language to make the bill more uniform in content. He said the inclusion of local questions, state constitutional amendments, and election of party precinct committee positions are to be included in overseas absentee ballots for federal service voters. Mr. Wilke explained the reporting procedures for campaign finance records and the current rulings for transfer of campaign funds from a state or local office position to another campaign.

Brad Bryant, Deputy Assistant Secretary of State, addressed the committee in support of **SB 55**. He said the bill is designed to expand voting opportunities to include local issues and precinct committee positions on the advanced overseas ballot (Attachment 1). Mr. Bryant explained that ballot preparation would be the same for both federal services and local voters for the August election process.

Commenting on other sections of the bill, Mr. Bryant indicated the Secretary of State's office and the Governmental Ethics Commission are working to promote the use of electronic campaign finance reporting. He said the Secretary of State's office is neutral on the sections pertaining to transfers of campaign funds.

There being no opponents to **SB 55**, the hearing was closed.

**SB 80** - Certain cities; sale of utility systems; elections.

Mick Urban, Manager, Governmental Affairs, Kansas Gas Service, spoke as a proponent for **SB 80**. He said the bill was originally proposed to provide assistance for third-class cities to divest itself of the responsibility for operating certain utility services (Attachment 2). Mr. Urban indicated that this bill changes the vote requirement from "qualified electors" to a majority of electoral votes by citizens of the community.

Wes Ashton, Black Hills Energy, spoke as a proponent for **SB 80**. He testified that the low voter turnout in conjunction with the sale of a utility system does not always reflect the majority viewpoint. Mr. Ashton said this bill eliminates the calling of a special election and allows voting on the issue at the time of the general election (Attachment 3).

Mike Reeht, representing Atmos Energy, said the company is the second largest natural gas utility in Kansas. He indicted the company supports the efforts of the Kansas Gas Service Company in changing the voting process for the sale of utility systems and equipment (Attachment 4).

## CONTINUATION SHEET

Minutes of the House Elections Committee at 3:30 p.m. on March 4, 2009, in Room 446-N of the Capitol.

Kimberly Gensur-Svaty, representing Kansas Municipal Utilities (KMU), provided oral comments on testimony submitted by Colin Hansen, Executive Director, KMU (Attachment 5). She indicated that KMU is the statewide association for electric, natural gas, water and wastewater systems. Ms. Gensur-Svaty said the KMU opposes the inclusion of electric and water utilities in **SB 80**, but holds a neutral position on the natural gas systems in operation in third class cities.

Written testimony holding a neutral position was submitted by Dave Holthaus, Kansas Electric Cooperatives, Inc. (Attachment 6).

There being no opponents to **SB 80**, the hearing was closed.

The meeting was adjourned at 4:20 p.m. The next meeting is scheduled for March 9, 2009.