

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairman Steve Huebert at 3:30 p.m. on March 9, 2009, in Room 446-N of the Capitol.

All members were present except:

Representative Julie Menghini- excused
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:

Senator Ralph Ostmeyer, District 40
Trevor Linton, Chairperson of Shine on Sherman County, Goodland, Kansas
Sherrie Riebel, Allen County Clerk/Election Officials Committee Chair
Kim Winn, League of Kansas Municipalities
Brad Bryant, Deputy Assistant, Secretary of State
Don Merriman, Saline County Clerk

Others attending:

See attached list.

Hearing On: **SB 171** - Sherman county; election of county commissioners.

Ken Wilke, Office of the Revisor of Statutes, explained the intent of the bill is to provide for at-large election of county commissioners in Sherman County, should there be voter approval. He said the county commissioners would need to develop a resolution to be submitted to the voting public.

Senator Ralph Ostmeyer, District 40, spoke in support of **SB 171** and explained that city commissioners and school board members have the option of electing at-large members. He indicated the bill extends that option to the county commissioners in Sherman County (Attachment 1). Senator Ostmeyer introduced guests from western Kansas who are supporting the bill—Representative Jim Morrison, Trevor Linton, Kevin Rasure and Darin Neufeld.

Trevor Linton, Chairperson of Shine on Sherman County, informed the committee of the time given to provide information to citizens of Sherman County on the advantages and disadvantages of commissioners being elected at-large or by district (Attachment 2). He indicated that a mock election was held in tandem with the Presidential election of 2008, and 75% of persons participating chose the at-large option. Mr. Linton recommended the committee support the bill as favorable for passage.

Harlan House provided written testimony in support of the bill (Attachment 3). Lowell Coon submitted written testimony opposing the bill (Attachment 4).

Additional written testimony from concerned citizens in Sherman County is included in this report (Attachment 5).

Chairperson Huebert shared comments on the numerous phone calls he received on the issue and then closed the hearing on **SB 171**.

Hearing On: **SB 103** - Elections; certain local units of government; primaries.

Ken Wilke said the bill pertains to the number of primary elections held in school districts, cities and community college districts. If enacted, the bill would reduce the costs of elections at the local level. He said all the pertinent statutes from 2007 are put into this bill.

Sherrie Riebel, Allen County Clerk and Elections Officials Committee Chair, spoke as a proponent of **SB 103**,

CONTINUATION SHEET

Minutes of the House Elections Committee at 3:30 p.m. on March 9, 2009, in Room 446-N of the Capitol.

saying the bill, with the amendment, would save money for cities, counties and schools (Attachment 6). She cited an example of the August 2008 primary in which eleven counties did not respond, but of those that did a total of \$146,641 was spent on the election. Ms. Riebel indicated the amendment to the bill clarifies previous statutes and recommended the bill favorable for passage.

Kim Winn, Director of Policy Development and Communications, League of Kansas Municipalities (LKM), addressed the committee, saying the language previously used has caused a great amount of debate and differing opinions among county election officials (Attachment 7). She said LKM supports the intent of **SB 103**, which returns the law to the prior ruling—that of allowing a primary to be held whenever there are more than two candidates for a position. Ms. Winn recommended the bill as favorable for passage.

Brad Bryant, Deputy Assistant, Secretary of State, said that the contradictions in previous legislation created a modicum of confusion and could be resolved in **SB 103** (Attachment 8). He said the 2008 law was not clear as to the number of candidates to be carried forward from the primary to the general election ballot. Mr. Bryant's testimony included a proposed amendment, which he recommended be incorporated and then passing the bill favorably.

Don Merriman, Saline County Clerk, spoke as a proponent of **SB 103**, as amended (Attachment 9). He advised the committee to consider rulings that would require all officials to conduct elections in the same manner in every county. His testimony included statistics on the number of votes cast and the overall cost for each election. Mr. Merriman said his goal is to conduct the election process as efficiently as possible in order to save money.

The hearing on **SB 103** was closed.

The meeting was adjourned at 4:20 p.m. The next meeting is scheduled for March 11, 2009.