

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 9:30 a.m. on February 4, 2009, in Room 446-N of the Capitol.

All members were present except:

Senator David Wysong- excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes

Ken Wilke, Office of the Revisor of Statutes

Martha Dorsey, Kansas Legislative Research Department

Reed Holwegner, Kansas Legislative Research Department

Carolyn Long, Committee Assistant

Conferees appearing before the committee:

Brad Bryant, Deputy Assistant Secretary of State for Elections and Legislative Matters

Don Merriman, Saline County Clerk

Elizabeth Ensley, Shawnee County Commissioner

Rocky Nichols, Disability Rights Center of Kansas

Carol Williams, Director, Governmental Ethics Commission

Others attending:

See attached list.

The Chair opened the hearing on **SB 55—Concerning ballots by uniformed overseas citizens and federal services voters.**

Staff clarification of bill stated this provided a registered voter stationed overseas or residing in a residence other than their home the same local ballot allowing them to vote on local issues, i.e. school board .

Brad Bryant, in support of this bill, said this measure was proposed by the county clerks and the Secretary of States office and in addition would simplify ballot preparation (Attachment 1).

Don Merriman appeared in favor of the bill and re-emphasized how important this would be for local issues (Attachment 2).

Elizabeth Ensley spoke in favor of the bill and echoed the sentiments of those speaking before her (Attachment 3).

The Chair thanked all who spoke in favor of the bill. There being no further conferees, the Chair closed the hearing on **SB 55.**

The hearing on **SB 56—Elections; security of advance voting ballots** was opened.

Brad Bryant stated this was proposed to strengthen the security of mailed advanced ballots by requiring a voter to designate another person in writing if the voter requests the person to mail or deliver the ballot to the election office; prohibit persons other than the voter from signing the ballot application form for voter; and would require any designated ballot delivery person to deliver the ballot within two days and that person would be required to sign a statement saying they had mailed or delivered the ballot as requested and had not exercised undue influence. This could be accomplished by a separate form enclosed in the envelope with the ballot or done directly on the ballot return envelope (Attachment 4).

Senator Wagle felt that the authorization should be contained on the envelope eliminating the need for additional papers.

Senator Pyle said there was similar legislation previously proposed and would like to be informed of the language contained in the conference committee report from the previous year.

CONTINUATION SHEET

Minutes of the Senate Ethics And Elections Committee at 9:30 a.m. on February 4, 2009, in Room 446-N of the Capitol.

Elizabeth Ensley, speaking in support of this bill, indicated her preference would be to place the addition on the outside of the envelope (Attachment 5).

Rocky Nichols spoke in opposition to the bill indicating that further restrictions may complicate the process even further and create yet another hurdle and confusion for those with a disability (Attachment 6).

There being no further discussion the hearing on **SB 56** was closed.

The chair then open discussion on **SB 57**. Brad Bryant said this bill was designed to require all reports during the 11 day block-out to be filed electronically, eliminating the need to staff an office over a weekend or on a holiday (Attachment 7).

Carol Williams submitted written testimony in favor of this bill (Attachment 8).

There being no further conferees, the hearing on **SB 57** was closed.

Chairman Schmidt called for final action on **SB 38–Hospital districts; formation, Linn county**. Senator Apple distributed an amendment allowing the board of county commissioners to submit the proposition to the qualified electors without the submission of the petition. The amendment was seconded by Senator Brungardt. The amendment passed.

Senator Apple moved, Senator Reitz seconded, to recommend SB 38, as amended, favorably for passage. Motion carried.

The Chairman then called for final action on **SB 80–Certain cities; sale of utility systems; elections**. Senator Brungardt moved, Senator Reitz seconded, to recommend **SB 80** as amended favorably for passage. Motion carried.

The meeting was adjourned at 10:30 a.m. The next meeting is scheduled for February 5, 2009.