

## MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on February 9, 2006 in Room 519-S of the Capitol.

All members were present.

## Committee staff present:

Mike Heim, Legislative Research Department  
Martha Dorsey, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes Office  
Maureen Stinson, Committee Secretary

## Conferees appearing before the committee:

Brad Bryan, Office of the Secretary of State  
Don Merriman, Saline County  
Jamie Shew, Douglas County  
Brian Newby, Johnson County  
Bill Gale, Sedgwick County  
Richard Gannon, Kansas Press Association  
Harriet Lange, Kansas Association of Broadcasters  
Janis McMillen, League of Women Voters of Kansas  
Molly Baumgartner  
Mark Tallman, Kansas Association of School Boards  
Randall Allen, Kansas Association of Counties  
Diane Gjerstad, Wichita Public Schools  
Sandy Jacquot, League of Kansas Municipalities  
Jerry Slaughter, Kansas Medical Society  
Eric Sartorius, City of Overland Park

## Others attending:

See attached list.

Chairman Vickrey opened the hearing on:

**HB 2744**      **Advance voting; satellite voting**

Brad Bryant, Deputy Assistant Secretary of State, testified in support of the bill (Attachment 1). He said the bill would allow more counties to establish satellite advance voting sites. He explained that current law restricts satellite advance voting to those counties with populations greater than 250,000 (Johnson and Sedgwick Counties).

Don Merriman, Saline County Election Officer and County Clerk, testified in support of the bill (Attachment 2). He stated he favors making voting more available and accessible for the voting public.

Jamie Shew, Douglas County Clerk, testified in support of the bill (Attachment 3). He stated that by currently allowing only two counties the privilege of additional access to the polls, citizens in the other counties are denied the same right.

Brian Newby, Johnson County Election Commissioner, testified in support of the bill (Attachment 4). He said that allowing advance voting universally would further ensure a level playing field for all candidates in races that cross county lines.

Bill Gale, Sedgwick County Election Commissioner, testified in support of the bill (Attachment 5). He explained that in-person advance voting is the fastest growing advance voting option.

Written testimony in support of the bill was submitted by R.J. Wilson, Crawford County Clerk (Attachment 6).

Chairman Vickrey closed the hearing on **HB 2744**.

Chairman Vickrey opened the hearing on:

**HB 2719**      **Open meetings; recording of closed or executive sessions**

Richard Gannon, Kansas Press Association, presented the written testimony of Doug Anstaett (Attachment 7). Mr. Anstaett's testimony, in support of the bill, explained that the bill gives the public and the press a realistic opportunity to make sure nothing else, nothing illegal, is being discussed when elected officials go behind closed doors.

## CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on February 9, 2006 in Room 519-S of the Capitol.

Janis McMillen, League of Women Voters of Kansas, testified in support of the bill (Attachment 8). She explained that the proposed legislation provides an avenue for challenging the request or need for a closed meeting, before the meeting actually occurs.

Harriet Lange, Kansas Association of Broadcasters, testified in support of the bill (Attachment 9). She said that the potential always exists for public distrust when executive sessions by public bodies occur.

Molly Baumgartner testified in support of the bill (Attachment 10). She explained that the passage of this bill will offer a means for elected officials to verify that executive sessions are lawful.

Written testimony in support of the bill was submitted by Randy Brown, Kansas Sunshine Coalition for Open Government (Attachment 11).

Mark Tallman, Kansas Association of School Boards, testified in opposition to the bill (Attachment 12). He stated that the existence of recordings will inevitably raise issues about the quality and security of the recordings.

Randall Allen, Kansas Association of Counties, testified in opposition to the bill (Attachment 13). He said they oppose the bill because they are not aware that there is a problem. He testified that the bills seems to be a solution in search of a problem.

Sandy Jacquot, League of Kansas Municipalities, testified in opposition to the bill (Attachment 14). She explained that the bill would radically alter the delicate balance that the Kansas Open Meetings Act (KOMA) currently strikes between the need for certain privacy and the right of the public to have access to information.

Diane Gjerstad, Wichita Public Schools, testified in opposition to the bill (Attachment 15). She reminded that the purpose of an executive session is not to protect the privacy of the elected public officials, but to protect the privacy of student information or employee information or the business which would put the public body at a disadvantage if done in public, for example, a land acquisition.

Eric Sartorius, City of Overland Park, testified in opposition to the bill (Attachment 16). He explained that opening executive sessions to tape recordings, no matter how well intentioned, will compromise the purpose of the closed session.

Written testimony in opposition to the bill was submitted by Fred Luck, Kansas Hospital Association (Attachment 17).

Jerry Slaughter, Kansas Medical Society, addressed the Committee but provided no written testimony. He did distribute a proposed amendment (Attachment 18).

### **Approval of Minutes**

Rep. Lane made a motion to approve the minutes of the February 7, 2006 meeting. Rep. Huebert seconded the motion. Motion Carried.

Chairman Vickrey adjourned the meeting.

The next meeting is scheduled for Tuesday, February 14, 2006.