

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 p.m. on February 23, 2004 in Room 526-S of the Capitol.

All members were present.

Committee staff present:

Martha Dorsey, Legislative Research Department
Dennis Hodgins Legislative Research Department
Ken Wilke, Office of Revisor of Statutes
Shirley Weideman, Committee Secretary

Conferees appearing before the committee: None

Others attending: See Attached List.

Chairman Myers opened debate on **HB 2629 - Elections; presidential primary, change of date.**

After discussion that this bill would not guarantee that Kansas would be the first state to have a presidential primary election in an election year by changing the date of the primary to the third Tuesday in January, 2008 and every fourth year thereafter, **Representative Miller moved that HB 2629 be passed favorably by the committee. Representative Huy seconded the motion and the motion carried.**

Chairman Myer told the committee that **HB 2811 - Municipal court judges; election** would be worked by the committee.

During discussion, members of the committee expressed concern that this bill addresses a problem with the Wichita Municipal Court that should not negatively affect the other municipal courts in Kansas. Representative Miller said that he has a municipal court judge who holds court in 2 different cities in 2 different counties who would not be able to live in both cities/counties, and would not be willing to run for either office. Ken Wilke, Revisor, explained that there are two sections of the bill that cover the possibility that if no one will run for the office of municipal judge, the governing body could appoint one. Representative Powers said that if the law was not uniform for cities throughout the state, cities could 'charter out'. **Representative Huebert moved to amend HB 2811 by removing the language in Sections 7, 9, 12, and 14 that require a municipal judge candidate to live in the community where he is running for office. Representative Huy seconded the motion. The vote was 8 for and 8 against the amendment. Chairman Myers voted "no" and the motion failed.**

Representative Svaty moved to table HB 2811. Representative Sharp seconded the motion. With a vote count of 5 for the motion and 10 against, the motion failed.

Representative Wilson moved to amend HB 2811 to be specific for Sedgwick County alone. Representative Yonally seconded the motion. Representative Wilson withdrew his motion and Representative Yonally withdrew his second. Representative Wilson moved that HB 2811 be amended to be specific for Wichita, Representative Yonally seconded the motion. The motion carried.

Ken Wilke, revisor, suggested a technical amendment to **HB 2811** to change the date to "2004" on page 7, line 11 where it says 2001. **Representative Wilson moved the technical amendment to HB 2811 changing the date to 2004 as recommended by Ken Wilke. Representative Toelkes seconded the motion and the motion passed.**

Representative Huy moved and the motion was seconded by Representative Sawyer that HB 2811, as amended, be passed favorable from committee. With a vote count of 8 ayes and 7 nays, the motion carried.

The meeting was adjourned by Chairman Myers at 4:35 p.m.