

MINUTES OF THE Senate COMMITTEE ON Elections

The meeting was called to order by Senator Ronald R. Hein at
Chairperson

1:30 ~~am~~ p.m. on March 7, 1983 in room 522-S of the Capitol.

All members were present except:
Senator LeRoy Hayden
Senator Ed Roitz

Committee staff present:

Myrta Anderson, Legislative Research Dept.
Arden Ensley, Revisor of Statutes' Office
Sharon Green, Committee Secretary

Conferees appearing before the committee:

Ms. Carol Williams, Kansas Public Disclosure Commission
Mr. Eric Rucker, Secretary of State's Office
Mr. Jon Josserand, Assistant Secretary of State

The Chairman called the meeting to order.

Ms. Carol Williams testified in favor of SB 376, stating that the bill would bring the two Kansas statutes, K.S.A. 25-2407 and K.S.A. 25-1709 under the jurisdiction of the Kansas Public Disclosure Commission instead of the jurisdiction of the Attorney General.

Questions were asked and a general discussion was held.

Mr. Eric Rucker testified in favor of SB 377, and explained the first part of the bill.

Mr. Jon Josserand testified in favor of SB 377, and passed out a chart to the committee. (Attachment 1)

Mr. Josserand explained the problems that the Secretary of State's Office has had with the current Kansas statutes, and specifically that Judge Richard Rogers had ruled that the current statutes were unconstitutional and ordered the Libertarian Party to be placed on the 1982 election ballot.

Questions were asked and a general discussion was held.

The Chairman explained that the sub-committee appointed by him composed of Senator Meyers, Senator Johnston, and Senator Hein had met on SB 378, SB 379, and SB 376. The Chairman indicated that SB 378 and SB 379 were almost complete, but that the sub-committee did not feel that they could complete sub-committee action on the bills prior to the deadline for consideration of Senate bills in House of Origin. Therefore, the Chairman indicated that he will be requesting that these bills be exempted from the deadline by reference to an exempt committee.

Senator Meyers then explained that the sub-committee had recommended striking Section 1 and the repealer of that statute from SB 376, and Senator Meyers then moved to amend the bill in that manner. Senator Norvell seconded the motion. The motion was adopted.

Motion was made by Senator Norvell and seconded by Senator Meyers to report SB 376 as amended favorably. The motion was adopted.

Motion was made by Senator Meyers and seconded by Senator Reilly to report SB 339 favorably. The motion was adopted.

The meeting was adjourned by the Chairman.

NUMBER OF REGISTRATIONS TO QUALIFY A NEW PARTY FOR THE BALLOT, 1983

State	Legal Requirement	Elec. Law Ref.	Number Required	Percentage of Elig. Signers
California	1% of last gub vote	6430(b)	71,329	.71
Delaware	.05% of curr reg	3001	131	.05

NUMBER OF PETITION SIGNATURES TO QUALIFY A NEW PARTY FOR THE BALLOT, 1983

Alabama	1% of last gub vote	17-8-2-1	-	-
Alaska	3% of last pres vote	15.30.025	3,836	1.48
Arizona	2% of last gub vote	16-202	-	-
Arkansas	3% of last gub or pres	3-101a	-	-
California	10% of last gub vote	6430(c)	713,283	7.05
Colorado	flat number	1-4-801	5,000	.35
Connecticut	1% of last vote for office	9-453(d)	14,085	.82
Dist Columbia	1% of curr registration	1-1108(f)	2,565	1.00
Florida	1% of prev registration	103.021(3)	42,172	.88
Georgia	2½% of prev registration	341010(b)	57,540	2.33
Hawaii	1% of last vote	11-113(b)(2)(B)	2,927	.73
Idaho	3% of last pres vote	34-501(1)(c)(D)	10,323	2.13
Illinois	flat number	10-2	25,000	.40
Indiana	½ of 1% last sec of st vote	3-1-11-1	6,982	.24
Iowa	flat number	45.1	1,000	.06
Kansas	3% of last gub vote	25-302a	22,088	1.91
Kentucky	flat number	118.315(2)	5,000	.29
Louisiana	flat number or pay \$500	465.c & 1254.B	5,000	.25
Maine	flat number	494.5	4,000	.58
Maryland	3% or curr registration	33-7-1	55,517	2.95
Massachusetts	2% of last gub vote	Ch. 53 Sec. 6	39,246	1.32
Michigan	1% winner vote sec of st	168.685(1)	18,339	.34
Minnesota	flat number	202A.28	2,000	.09
Mississippi	merely file	23-1-81(c)	0	0
Missouri	1% of last gub vote	115.315	19,336	.68
Montana	3% gub vote	13-10-601	-	-
Nebraska	1% of last gub vote	32-526	4,923	.60
Nevada	5% of last congress vote	293.128	9,533	3.56
New Hampshire	flat number	656:67	1,000	.18
New Jersey	flat number	19:13-5	800	.02
New Mexico	3% of last gub or pres	1-8-2	-	-
New York	flat number	6-136	20,000	.25
North Carolina	flat number	163-96(2) eff 7/1/81	5,000	.20
North Dakota	flat number	16.1-11-06	300	.07
Ohio	1% of last vote cast	3517.01	28,434	.48
Oklahoma	5% of last gub vote	1-108	38,871	2.65
Oregon	5% of last congress vote	248.008	43,682	2.78
Pennsylvania	2% justice winner vote	2911	48,134	.84
Rhode Island	flat number	17-16-8	1,000	.18
South Carolina	flat number	7-9-10	10,000	.90
South Dakota	1% last gub vote	12-7-1	2,598	.63
Tennessee	2½% of last gub vote	2-104(27)(b)	29,740	1.38
Texas	1% of last gub vote	13.45(2)	23,697	.59
Utah	flat number	20-3-2(g)(2)	500	.06
Vermont	flat number	2402(b)	1,000	.32
Virginia	½ of 1% of curr reg	24.1-159	10,003	.43
Washington	.01% of last pres vote	29.24.030	ATTENDANCE OF 156 at meetng	.01
West Virginia	1% of last pres vote	3-5-23	7,507	.74
Wisconsin	flat number	8.20	2,000	.08
Wyoming	5% of last congress vote	22.5-301	6,469	2.95

note: in a few states, the requirements for a new party vary, depending on what kinds of candidates the new party is running. For these states, I used the presidential requirements.

REQUIREMENTS FOR AN OLD PARTY TO REMAIN ON THE BALLOT

States Which Merely Require the Party to Remain Organized:

1. Alabama 2. Idaho 3. Kansas 4. Mississippi 5. South Carolina

States Which Require the Party's Candidates to Poll a Certain VOTE

<u>STATE</u>	<u>WHICH CANDIDATE OF THE PARTY MUST POLL CERTAIN VOTE?</u>	<u>WHAT VOTE MUST HE POLL?</u>
New York	Governor	50,000 (under 1%)
Michigan	whoever is closest to the top of the ticket	1% of winner's vote for Sec
Connecticut	President or Governor	1%
West Virginia	Governor	1%
Wisconsin	any statewide candidate	1%
Pennsylvania	any statewide candidate	2% of highest <u>winner's</u> vote
Indiana	Secretary of State	2%
Iowa	President or Governor	2%
Kentucky	President	2%
Missouri	any statewide candidate	2%
Texas	Governor	2%
Utah	any statewide candidate	2% of congressional vote
Montana	any statewide candidate	5% of Gub. <u>winner's</u> vote
Arkansas	President or Governor	3%
Dist. Columbia	any districtwide candidate	7,500 votes (approx. 3%)
Massachusetts	Governor	3%
New Hampshire	any statewide candidate	3% of gub. vote
Arizona	President or Governor	5%
Illinois	President or Governor	5%
Louisiana	President	5%
Maine	President or Governor	5%
Minnesota	any statewide candidate	5%
Nebraska	President or Governor	5%
Nevada	any candidate	5% of congressional vote
North Dakota	Governor	5%
Ohio	President or Governor	5%
Oregon	any statewide candidate	5% of congressional vote
Rhode Island	Governor	5%
Tennessee	President or Governor	5%
Vermont	any statewide candidate	5%
Washington	any statewide candidate	5%
Alaska	Governor	10%
Colorado	Governor	10%
Hawaii	any statewide candidate or congress candidate	10%
New Jersey	cumulative total for Assembly candidates	10%
North Carolina	President or Governor	10%
Oklahoma	President or Governor	10%
South Dakota	Governor	10%
Virginia	President or Governor	10%
Wyoming	Congress	10%
New Mexico	Governor (but can have status. for pres. only just by being organized)	15%
Georgia	President or Governor	20%

States Which Require a Party to Maintain a Certain Registration

1. Delaware .05% 2. Florida 5% 3. Maryland 10%

State Which Requires BOTH a Certain Vote and a Certain Registration

- California poll 2% for any statewide candidate AND hold 1/15th of 1% of total registration

BALLOT ACCESS REQUIREMENTS FOR THE PRESIDENTIAL CANDIDATE
OF A PREVIOUSLY UNQUALIFIED PARTY

MAY 24, 1982

STATE	PETITION SIGNATURES	FORMULA (STATUTE REFERENCE)	REGISTERED VOTERS	PETITION/ VOTERS	PETITION/ POPULATION ¹
AL	5,000	(17-19-1)	2,132,139	.23%	.13%
AK	4,727	3% PRES (15.25.160)	261,536	1.81%	1.18%
AZ	10,474	2% GOV (16-202)	1,121,169	.93%	.39%
AR	25,168	3% GOV (3-101a)	1,185,902	2.13%	1.10%
CA	113,610	1% REG (Elections 6831)	11,361,020	1.00%	.48%
CO	5,000	(1-4-801)	1,434,257	.35%	.17%
CT	13,907	1% PRES (9-453d)	1,706,361	.81%	.45%
DE	*150	.0005% REG (15-3001)	300,600		
FL	144,292	3% REG (99.096)	4,809,721	3.00%	1.48%
GA	61,670	2½% REG (34-1010)	2,466,786	2.50%	1.13%
HI	4,027	1% REG (11-62)	402,795	1.00%	.42%
ID	12,838	3% PRES (34-708a)	581,006	2.21%	1.36%
IL	25,000	(46-10-2)	6,230,332	.40%	.22%
IN	5,500	(3-1-9-19)	2,944,311	.19%	.10%
IA	1,000	(45.1)	1,746,725	.06%	.03%
<u>KS</u>	<u>22,088</u>	<u>3% GOV (25-302a)</u>	<u>1,290,539</u>	<u>1.71%</u>	<u>.93%</u>
KY	5,000	(118.315)	1,824,455	.27%	.14%
LA	5,000	(18:465)	2,015,402	.25%	.12%
ME	4,000	(21:494)	759,978	.53%	.36%
MD	61,947	3% REG (33-7-1)	2,064,883	3.00%	1.47%
MA	39,128	2% GOV (53-6)	3,156,672	1.24%	.68%
MI	18,339	1% WIN SEC (168.685)	5,730,048	.32%	.20%
MN	2,000	(202A.28)	2,787,277	.07%	.05%
MS	**	(1-1 <u>et seq.</u>)	1,485,539		
MO	20,809	1% GOV (115.315)	2,841,143	.73%	.42%
MT	10,341	5% WIN PRES (2-2-3318)	496,402	2.08%	1.31%
NE	4,923	1% GOV (32-526)	856,182	.57%	.31%

<u>STATE</u>	<u>PETITION SIGNATURES</u>	<u>FORMULA (STATUTE REFERENCE)</u>	<u>REGISTERED VOTERS</u>	<u>PETITION/ VOTERS</u>	<u>PETITION/ POPULATION¹</u>
NV	11,842	5% VOTE (293.128)	297,318	3.98%	1.48%
NH	3,000	(655:43)	522,751	.57%	.03%
NJ	800	(19-13-5)	3,764,369	.02%	.01%
NM	10,365	3% GOV (1-8-2)	654,502	1.58%	.79%
NY	20,000	(6-136)	7,358,946	.27%	.11%
NC	5,000	(163-96)	2,074,844	.18%	.09%
ND	300	(16.1-11-06)	462,000	.06%	.05%
OH	27,568	1% GOV (3501.01)	5,887,488	.47%	.26%
OK	38,465	5% GOV (26-1-108)	1,469,320	2.62%	1.27%
OR	54,774	5% ALL CON (248.008)	1,569,222	3.49%	2.08%
PA	48,682	2% WIN CAND (25-2911)	5,754,287	.84%	.41%
RI	1,000	(17-16-8)	547,472	.18%	.11%
SC	10,000	(7-11-70)	1,235,521	.81%	.32%
SD	2,598	1% GOV (12-7-1)	447,508	.58%	.38%
TN	29,637	2½% GOV (2-1-104)	2,359,002	1.26%	.65%
TX	23,509	1% GOV (13.45)	6,639,662	.36%	.17%
UT	500	(20-3-2)	781,711	.06%	.03%
VT	1,000	(17-2402)	311,919	.32%	.20%
VA	11,546	.5% REG (24.1-168)	2,309,181	.50%	.22%
WA	***171	.0001% PRES (29.24.030)	2,236,603		
WV	7,334	1% PRES (3-5-23)	1,034,546	.71%	.38%
WI	2,000	(Elections 8.20)	3,372,000	.06%	.04%
WY	8,485	5% CON (22-5-301)	219,423	3.87%	1.80%

LEGEND

REG Total voter registration.

GOV Total vote for governor statewide in the last preceding election.

PRES Total vote for president statewide in the last preceding election.

WIN PRES Vote for the successful presidential candidate statewide in the last preceding election.

WIN SEC Vote for the successful secretary of state candidate statewide in the last preceding election.

VOTE Total vote cast in the last preceding election.

ALL CON Total vote for all congressmen in the last preceding election.

WIN CAND Largest statewide vote for a winning candidate in the last preceding election.

* Number of voters registered; no signed petition requirement.

** Party organization sufficient; no signed petition requirement.

*** Number of attendees at party convention; no signed petition requirements.

1 Population figures from 1980 U.S. Census.