

MINUTES OF THE Senate COMMITTEE ON Elections

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

1:30 ~~xxx~~ a.m./p.m. on February 20, 1984 in room 522-S of the Capitol.

All members were present except:
Senator Gannon Senator Roitz
Senator Norvell
Senator Reilly

Committee staff present:

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

Conferees appearing before the committee:
Senator Don Montgomery

The Chairman called the meeting to order.

Senator Montgomery testified in favor of SB 711, stating that this bill amends the present law by mandating that the County Election Officer and the board of commissioners of the county in which the territory of the proposed district is located to verify the petition. He also stated that this bill would mandate that the date of the proposed filing of the petition be on the face of the petition, and that a person who has signed the petition may withdraw such person's name within three days after such date.

Questions were asked and a general discussion was held.

The Committee discussed the possibilities of amending K.S.A. 25-3602, dealing with filing deadlines, and withdrawal of signatures from petitions.

Motion was made by Senator Talkington to amend SB 711 by deleting "board of commissioners" in line 39. Senator Meyers seconded the motion. The motion was adopted.

Motion was made by Senator Johnston and seconded by Senator Talkington to amend SB 711 by including the manner in which a person can withdraw his signature from a petition, pursuant to K.S.A. 25-3602. The motion was adopted.

Motion was made by Senator Johnston and seconded by Senator Hayden to report SB 711 as amended favorably. The motion was adopted.

Motion was made by Senator Johnston and seconded by Senator Talkington to introduce legislation requested by the Shawnee County Election Commissioner's office and a bill draft prepared by Eric Rucker of the Secretary of State's office. The motion was adopted. (Attachments 1, 2, 3 and 4)

The Chairman adjourned the meeting.

SENATE BILL NO. 789

By Committee on Elections

AN ACT relating to elections; concerning applications for absentee ballots; amending K.S.A. 25-1122d and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 25-1122d is hereby amended to read as follows: 25-1122d. (a) If the application for an absentee ballot is made by the person desiring to vote an absentee ballot, such application shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector of the County of _____ and State of Kansas Desiring to Vote an Absentee Ballot
State of _____, County of _____, ss:

I, _____,

(Please print name)

do solemnly affirm that I am a qualified elector of the _____ precinct of the _____ ward, residing at number _____ on _____ street, city of _____, or in the township of _____, county of _____, and state of Kansas, and that I am entitled to vote an absentee ballot and that because of my (absence from the county) (sickness or physical disability) (religious belief or practice) (service as a judge or clerk on an election board) I will be unable to attend and vote at my regular voting place at the _____ election to be held on _____, and that I have not voted and will not otherwise vote at such election. My political party is _____ (to be filled in only when requesting primary election ballots). I desire my ballots to be sent to the following address

Atch. 1

Signature of voter.

Note: False statement on this affirmation is a class C misdemeanor.

(b) If the application for an absentee ballot is made on behalf of the person desiring to vote an absentee ballot by a qualified elector of such person's county of residence, such application shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector on Behalf of an Elector of the County of _____, and State of Kansas Desiring to Vote an Absentee Ballot

State of _____, County of _____, ss:

I, _____,

(Please print name)

do solemnly, sincerely and truly declare and affirm that I am a qualified elector of the _____ precinct of the _____ ward, residing at number _____ on _____ street, city of _____, or in the township of _____, county of _____, and state of Kansas, and do solemnly, sincerely and truly declare and affirm that

_____, a qualified elector of the _____

(Please print name)

precinct of the _____ ward, residing at number _____ on _____ street, city of _____, or in the township of _____, county of _____, and state of Kansas, is entitled to vote an absentee ballot and that because of ~~his-er--her~~ their (absence from the county) (sickness or physical disability) (religious belief or practice) ~~he-er-she~~ they will be unable to attend and vote at ~~his-er-her~~ their regular voting place at the election to be held on the day of the _____ election, _____, 19____, and desires to vote under the provisions

of the absent voting law. ~~His-or--her~~ This elector's political party is _____ (to be filled in only when requesting primary election ballots). ~~He-or-she~~ This elector desires such ballots to be sent to the following address

Signature.

Note: False statement on this affirmation is a class C misdemeanor.

(c) Any application by or on behalf of a former precinct resident shall state both the former and present residence, address, precinct and county of such former precinct resident and the date of change of residence.

Sec. 2. K.S.A. 25-1122d is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

SENATE BILL NO. 790

By Committee on Elections

AN ACT relating to elections; concerning absentee ballots for partisan primary elections; amending K.S.A. 25-1123 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 25-1123 is hereby amended to read as follows: 25-1123. When an application for an absentee ballot has been filed in accordance with K.S.A. 25-1122, and amendments thereto, the county election officer shall transmit to the voter applying therefor, or to the person making application on behalf of such voter, one each of the appropriate ballots. Such ballots shall be transmitted by mail, or may be delivered to the person making application in the office of the election officer, together with the printed instructions prescribed by the secretary of state and a ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot. Such ballots shall be transmitted to the absentee voter within two (2) business days of the receipt of such voter's application or within five (5) days of the receipt of the printed absentee ballots by the election officer, whichever occurs later. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party requested-in-the-application for which such voter is registered.

Sec. 2. K.S.A. 25-1123 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

SENATE BILL NO. 791

By Committee on Elections

AN ACT relating to elections; concerning the residence of certain governmental officers and employees for the purpose of voting; amending K.S.A. 25-108 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 25-108 is hereby amended to read as follows: 25-108. That for the purpose of voting, no person who is in the employment of the United States government or of this state or any municipal subdivision thereof in any civil capacity shall be deemed to have gained or lost a residence by reason of such employment, but all such officers or employees shall be considered as residents of the place from whence they were elected or appointed.

Sec. 2. K.S.A. 25-108 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

SENATE BILL NO. 811

By Committee on Elections

AN ACT relating to the recall of elected officials; concerning the recall of local officers; amending K.S.A. 25-4330 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 25-4330 is hereby amended to read as follows: 25-4330. If a majority of the votes cast on the question of recall favor the recall of the local officer, the county board of canvassers shall so determine and the county election officer shall so certify and the office shall be vacant on the day after the date of certification. A vacancy caused by a recall shall be filled as a vacancy caused by other means. No local officer who has been recalled, ~~or who has resigned after a petition for recall has been filed to recall such officer,~~ shall be eligible for appointment to fill such vacancy, and if the officer is a member of a governing body, the person so resigning shall be ineligible for appointment to any other position or office on such governing body until the current term of that office has expired.

Sec. 2. K.S.A. 25-4330 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.