

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Richard L. Harper at
Chairperson

9:00 am a.m./p.m. on Tuesday, February 5, 1985 in room 521-S of the Capitol.

All members were present except: Representative Norman Justice, excused
Representative Phil Kline, excused

Committee staff present: Myrta Anderson, Legislative Research Department
Mary Hack, Revisor of Statutes Office
Eric Rucker, Secretary of State's Office
Dottie Musselman, Committee Secretary

Conferees appearing before the committee: Representative Anthony Hensley

Chairperson Harper called the meeting to order and at this time recognized Representative Hensley.

HB 2106 - An Act relating to the office of commissioner of elections in certain counties; concerning the appointment of the commissioner, was explained to the committee by Representative Hensley.

Following a brief discussion period the hearing was closed on this particular bill.

HB 2140 - An Act relating to elections; concerning applications for absentee ballots. Representative Hensley gave the committee a brief insight of the purpose of this bill. After a short general discussion, the Chairperson closed the hearing on HB 2140.

Chairperson Harper recognized Representative Blumenthal. The Representative introduced two drafts at the request of Representative Gjerstad. The first being An Act concerning elections; relating to voting places; amending K.S.A. 25-2703 and repealing the existing section. (Attachment 1)

The second proposed bill which is An Act concerning elections; relating to voting places; amending K.S.A. 1984 Supp. 25-2909 and repealing the existing section. (Attachment 2)

Representative Blumenthal made a motion that the fore-mentioned drafts be accepted by the committee, and the bills be referred back to the Election Committee. Seconded by Representative Helgerson. Motion carried.

Chairperson Harper acknowledged Representative Johnson at this time.

Representative Johnson made a motion to have a bill drafted and to bring back before the Election Committee changing K.S.A. 25-4173 to exempt the filing fee from the \$500. Seconded by Representative Baker. Motion carried.

It was moved by Representative Flottman to accept the minutes of the January 31 meeting as printed. Seconded by Representative Crumbaker. Motion carried.

The meeting adjourned at 9:35 a.m.

HOUSE BILL NO. _____

By Representative _____

AN ACT concerning elections; relating to voting places; amending
K.S.A. 25-2703 and repealing the existing section.

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

Section 1. K.S.A. 25-2703 is hereby amended to read as follows: 25-2703. The county election ~~officers~~ officer shall provide a suitable voting place in each precinct in which to hold all national, state, county, township, city and school primary and general elections, question submitted elections and other public elections. County election officers shall arrange for voting places to be warmed, lighted, and furnished with proper supplies and conveniences, including a sufficient number of booths, shelves and pencils, to enable the voters to prepare their ballots, screened from observation. Voting booths shall be in plain view of the receiving board, and both they and the ballot boxes shall be in plain view of electors waiting to vote. Each booth shall have three sides enclosed, one side in front to open and shut. Booths shall be well lighted.

No person other than judges, clerks and other election officers allowed by law, and those admitted for the purpose of voting, shall be permitted within three feet of the voting booths, of voting machines where they are used, or of any table being used by the election board, except by the authority of the supervising judge. The number of voting booths shall not be less than one to every 60 voters expected by the county election officer to vote at the voting place. Voting booths shall be deposited with the county election officer between elections.

Sec. 2. K.S.A. 25-2703 is hereby repealed.

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

*H. Elect. 2/5/85
(attachment #1)*

HOUSE BILL NO. _____

By Representative _____

AN ACT concerning elections; relating to voting places; amending K.S.A. 1984 Supp. 25-2909 and repealing the existing section.

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

Section 1. K.S.A. 1984 Supp. 25-2909 is hereby amended to read as follows: 25-2909. (a) Any voter unable to mark such person's ballot by reason of physical disability, visual handicap or lack of proficiency in reading the English language or any voter 65 or more years of age may request assistance in voting.

(b) Upon request as provided in subsection (a), the voter shall be accompanied to the voting booth by a person chosen by the voter or, if no person is chosen, by two members of the election board of different political parties, who shall mark the ballot as such voter directs.

(c) If a voter requests assistance but is challenged, such voter shall be permitted to vote as provided by law for challenged voters.

(d) If a voting place is inaccessible to a disabled voter by reason of stairs or steps, such voter may request that such person's ballot be brought to the entrance to such voting place, for the purpose of allowing such voter to vote. A notice informing voters of the right to make such request shall be prominently displayed outside the voting place. Two members of the election board of different political parties shall take a ballot to the voter so requesting and shall remain with such voter while such person votes. In voting places where paper ballots are used, such board members shall deposit such voter's ballot in the ballot box. In voting places where voting machines are used, such voter shall vote on an absentee ballot, and, if

*H. Elect. 2/5/85
(attachment # 2)*

the county election officer so directs, the two board members, upon returning to the voting place, shall cast the voter's votes, exactly in the manner shown on such voter's ballot, on a voting machine. If the voter's votes are cast on a voting machine, the absentee ballots used in this subsection shall be marked "VOID" with a notation indicating that the votes thereon have been tabulated on a voting machine. Any such ballot, together with objected to and challenged ballots, shall be packaged in accordance with K.S.A. 25-3008, and amendments thereto.

(e) At any voting place inaccessible to disabled voters at the main entrance which is accessible at some other entrance, signs directing voters to such other entrance shall be prominently displayed.

~~(e)~~ (f) Intoxication shall not be regarded as a physical disability.

Sec. 2. K.S.A. 1984 Supp. 25-2909 is hereby repealed.

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