

Approved R.H. - 3-11-85
Date

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 Thursday, March 7, 1985 in room 521-S of the Capitol.

All members were present except: All Present

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

Conferees appearing before the committee:

Secretary of State Jack Brier
Bill Curtis, Kansas Association of School Boards
Horace Eubanks
Doug Mays (Opponent)
Eric Rucker, Secretary of State's Office
Charlotte Hargis, Johnson County Committee Woman

Chairperson Harper called the meeting to order and recognized Secretary of State Jack Brier. The Secretary of State ask permission to discuss HB 2534 and HB 2535 together because they are intertwined. The Secretary of State came before the House Elections Committee to ask them to reinstate the presidential preference primary which is HB 2535. This bill is identical to the presidential preference primary legislation which was adopted, and would serve the same purpose as the first-ever presidential primary held in 1980. The presidential preference primary is designed to permit all registered voters, who are willing to affiliate with a political party, an opportunity to help select its nominees for President. HB 2534, An Act concerning schools; relating to the election and terms of members of governing bodies thereof, simply moved the election that normally occurs in odd numbered years, to even numbered years. Instead of having a very large school election on the first Tuesday of April of 1987, those persons who are now serving in office whose terms would have expired, will not expire until after the 1988 election. So we will not only save the cost of an election in 1987, but will also be able to hold the presidential preference primary in conjunction with school board elections on the first Tuesday in April of 1988. The Secretary of State told the committee he was in hopes that the committee would act favorably on these bills.

Following a short question period, the Chair recognized Bill Curtis, The Kansas Association of School Boards. Mr. Curtis came before the committee and told them that his association has not taken an official stand on this proposal as their sequence of approving policies takes place much earlier, and they were unaware of this bill being introduced. Mr. Curtis told the committee that in studying HB 2534, and in talking with their Executive Committee, and also to staff members who are somewhat familiar with school board elections, the association has no objections to this bill, have no problems with it, they simply want to make sure that it isn't changed in anyway that would affect the terms of the school board members now serving, and of those who are elected this spring, and the association would accomplish that by simply extending their term of office for one year. So, instead of electing school board members again in 1987, they would serve until 1988, and those persons elected this spring instead of having their terms expire in 1989, the term would expire in 1990.

At this point Mr. Curtis told the committee he would be glad to answer any questions they may have. Following a short period of questions and general discussion, the Chair recognized Doug Mays.

Mr. Mays appeared before the committee in opposition to the Presidential Preference Primary bill.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections

room 521-S, Statehouse, at 9:00 a.m./p.m. on Thursday, March 7, 1985

The Chair at this time recognized Horace Eubanks. Mr. Eubanks was also in opposition to HB 2535.

Following a period of discussion on the above mentioned bills, the hearing was closed.

HB 2536, An Act relating to elections; concerning candidates' names on ballots, was next up for hearing. The Chair recognized Eric Rucker, Secretary of State's office.

Mr. Rucker came before the committee to give a short briefing of HB 2536. It was noted that during the campaign season of 1984 several candidates contacted the secretary of states office with a similar story. They were in a contested primary election, but there was no candidate running on the other party at the primary election of 1984.

HB 2536 does prohibit any candidates' name from appearing twice on either a Republican or Democratic ballot. This bill then goes on to reinsert the language regarding the general election ballot.

Attention was drawn to Section 3 of HB 2536 which concerns a problem that developed when individuals began to utilize stickers to cast votes for write-in candidates on voting machines. There are numerous problems when stickers are placed on voting machines, but the largest problem of placing stickers on the tape or roll which contain all write-in candidates, can cause the machine to malfunction.

At this time a letter from the Attorney General's office was handed out to committee members. This letter highly suggests that legislation be passed instead of trying to accomplish these concerns by Rules and Regulations. (Attachment 1).

Chairperson Harper now recognized Charlotte Hargis, Johnson County Kansas, who came before the committee regarding the elimination of stickers on voting machines. She passed samples of these stickers that are used on the voting machines in her area. She stated that she thought the big question was whether or not the committee believed in write-ins.

As time was running short and the House was due to convene at 10:00 a.m. this morning, the Chairperson announced that the committee would meet again Friday morning and invited the conferees wishing to appear on HB 2537 to return for that meeting.

Representative Justice moved to accept the minutes of the March 5, 1985, meeting. Seconded by Representative Crumbaker. Motion carried.

Meeting adjourned.

3-7-85

DATE

HOUSE COMMITTEE ON ELECTIONS

GUEST LIST

NAME	ADDRESS	REPRESENTING
Lindy Diehl	Office of Secretary of State	
Joe R. Reed		
Ron Callert	Newton	U.T.U.
Tom Whitaker	Topeka	Ks Motor Caucus Assn
Horse W. Eubank		
Dany Mays	Topeka	
Bob Pedler	"	UPI
Verna Crisp	Rose Hill	KSD 394
Jim Edwards	Topeka	KCCT
D.E. Mathia	Lawrence	None
CHARLOTTE HARGIS	JOHN SON COUNTY-SHAGNEE	
Richard Funk	Topeka	KASB



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN
ATTORNEY GENERAL

February 15, 1985

MAIN PHONE: (913) 296-2215
CONSUMER PROTECTION: 296-3751

The Honorable Jack H. Brier
Secretary of State
State Capitol, 2nd Floor
Topeka, Kansas 66612

Re: Regulation 7-21-3

Dear Secretary Brier:

The Attorney General has approved regulation number 7-21-3 regarding casting write-in votes on voting machines which are approved by your office. The regulation is authorized by K.S.A. 25-1312 which requires the Secretary of State to issue rules and regulations pertaining to the use of voting machines.

Although we are able to approve the regulation, it is our opinion that the issues and problems addressed therein may be more adequately and appropriately addressed through legislation. We would urge you to seek appropriate legislative changes to accommodate these concerns.

Thank you for your cooperation.

Very truly yours,

OFFICE OF THE ATTORNEY GENERAL
ROBERT T. Stephan

Mary F. Carson
Assistant Attorney General

MFC:crw

H. Elect. 3/7/85
(att achment #1)