

Approved

RLH 2-17-87
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 Tuesday, February 10, 1987 in room 521-S of the Capitol.

All members were present except: Representative Foster, excused; Representative Jenkins excused; Representative King, excused; and, Representative Littlejohn, excused.

Committee staff present: Myrta Anderson, Legislative Research Department
Nancy Ryan, Secretary of State's Office
Ron Thornburg, Secretary of State's Office
Jill Wolters, Revisor of Statutes' Office
Dottie Musselman, Committee Secretary

Conferees appearing before the committee:

Representative R. H. Miller, District # 80
Earl Nehring, Kansas Common/Cause
Paul Louderman, Vice President, Association of Newscasters
of Kansas
Carol Williams, Public Disclosure Commission
Written testimony supplied to committee members by Harriet
Lange, Exec. Dir., Kansas Broadcasters. (In Support)
Written testimony supplied by Lawrence Wisely, Atchison,
Kansas. (In Support)

Chairperson Harper called the meeting to order and announced to the committee that HB 2159 was the order of business for today. This bill is an act concerning election; requiring campaign finance reports; listing occupations of individual contributors; filing of campaign finance reports; providing the public disclosure commission with the authority to issue subpoenas; requiring the public disclosure commission to have an executive director. The Chair now recognized Representative R. H. Miller, author of HB 2159.

Representative Miller told the committee that his bill amends the campaign finance law, and at this time, copies which he had marked up, were handed out to committee members. Attention was called to the big red X which was placed across the front page. It was noted by the Representative that after the bill was introduced and he had started going through it and re-reading and working on his presentation, that maybe he had gone a little farther than he had wanted to. Representative Miller told the committee that he would like to amend the bill with all the language he had crossed out, and he believes it would be a much more workable bill. A little background information was given the committee as to how the Representative had gotten into the involvement of campaign finance legislation. Representative Miller told the committee the effect of the bill would be to allow greater local scrutiny of the amounts candidates are spending and receiving to win election to a position in state government today. Representative Miller told the committee that a great deal of concern and something that most people in Kansas talk about during elections, especially this past election, was the amount of money that is being spent, and they did not say that in a favorable way. Polls show that 80 to 90 percent of Kansans think there should be a very strict lid placed on the amount of money that a candidate can spend in order to be elected to public office in this state. It was brought to the attention of the committee that during the 1986 campaign, candidates for several statewide races voluntarily submitted additional spending reports to the news media, and that this bill, basically, would make those voluntary reports a legal requirement. Under this bill, all state government candidates would have to file finance reports 21 days and six days before both the primary and general election. HB 2159 also requires that on the reports the occupation of individual contributors be listed. Another item in the bill is concerning the public disclosure commission with regard to having an executive director. The requirement in the bill doesn't necessarily mean that the commission should go out and hire another person to serve as executive director, but he thinks it would be nice if someone from within the agency could be designated as such.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S, Statehouse, at 9:00 am a.m./p.m. on Tuesday, February 10, 1987

Following a discussion period, the Chair now recognized Earl Nehring, who represents the Common Cause/Kansas. Mr. Nehring appeared before the committee in support of HB 2159, and urged the committee to recommend approval of its provisions. Mr. Nehring stated that the bill essentially has four provisions which strengthens the campaign finance reporting requirements of the existing Campaign Finance Act and two provisions strengthening the capability of the Public Disclosure Commission. (Attachment 1).

Paul Louderman, Vice President of the Association of News Broadcasters of Kansas, was recognized by the Chair. Mr. Louderman appeared before the committee in favor of HB 2159. Written testimony was provided for the members of the committee. (Attachment 2).

Carol Williams, Public Disclosure Commission, came before the committee to defend her agency, and answer questions from the members regarding their positions within the commission.

Attention was called to the letters of written testimony on this bill, which had been passed to members before the meeting. (Attachment 3 & 4).

Chairperson Harper told the members that due to the fact the House was going to take up at 10:00 a.m. this morning, this bill would be taken up again at a later date.

Chairperson Harper called attention to material which Jill Wolters, staff, had been requested to check into for the committee. A listing of population of cities of first and second-class was handed out to members. Questions on this issue arose from the hearing on HB 2131. Also handed out was a balloon amendment to HB 2131, at the request of Representative Helgerson. This matter also is to be discussed at another meeting. (Attachments 5 and 6)

A motion was made by Representative Amos to approve the minutes of the February 5, 1987, meeting. Seconded by Representative Flottman. Motion carried.

Meeting adjourned at 9:55 a.m.



Statement in support of House Bill 2159
presented to the House Committee on Elections
by Earl Nehring for Common Cause/Kansas

Our organization strongly supports House Bill 2159 and urges your committee to recommend approval of all its provisions. The bill essentially has four provisions strengthening the campaign finance reporting requirements of the existing Campaign Finance Act and two provisions strengthening the capability of the Public Disclosure Commission to enforce that Act. My comments will refer to each of these six provisions.

One provision requires an additional campaign finance report to be filed 21 days before each primary and general election. The purpose of the Campaign Finance Act is to provide the public full and timely information about campaign financing. The present requirement of reporting 6 days before primary and general elections does not allow enough time for report data to be assessed and reported on to the public. It produces a mass of data at one time without time for adequate consideration. A report 21 days before an election would clearly provide a better opportunity for citizens to learn about campaign finances. In practice some candidates unofficially provide earlier reports, but the practice is sporadic. A formal requirement for the earlier report would treat everyone the same and assure availability of the data for all state offices.

It is still important to have the report 6 days before an election to discourage dumping contributions into the period after the 21st day report. The 6th day report would be easier to prepare, however, since it would cover only two weeks. In effect, the report now required would be split with two reporting dates, spreading out the workload for campaign treasurers and making it easier for citizens to learn about what has been reported.

Another provision would require an annual update report from committees which continue in existence between election years. This requirement would fill a gap in the present reporting arrangements. If a committee continues in existence between campaigns, holding, collecting or disbursing funds, it makes sense that an annual accounting be made of its activity. That is part of keeping the public fully informed. It is not in the spirit of disclosure laws to allow committees to accumulate and hold funds intended to influence the electoral processes of our state and say the public doesn't need to know about this until a few days before an election. Annual reports also would contribute to a further spreading out of finance information, rather than having it all produced in a short span just before an election. And they would reduce the preparation time needed for the 21st day reports.

A third proposed change would require reporting the occupations of contributors, as well as their names and addresses. This is a matter of providing full disclosure about sources of funds. The Kansas Public Disclosure Commission has asked for this additional requirement several times, recognizing its utility for helping them carry out their responsibilities. Reporting occupations of contributors is required in federal campaign finance laws and it is presently required in Kansas for contributions made in campaigns involving constitutional amendments. It should be done for all contributions. It is helpful for crosschecking and understanding the sources of campaign finance.

Attachment 1
House Election

Another reporting change provided for in this bill would require the filing of copies of campaign finance reports, for non-state-wide offices, with county election officers in those counties composing an election district. Again, this provision has been requested by the Public Disclosure Commission a number of times. It is obvious that full and timely disclosure of campaign financing is not well served when all reports are filed in Topeka. It is difficult for both citizens and media to gain access to the data. Filing copies of reports locally would allow local citizens and local media a reasonable opportunity to review reports before elections--which is a major intent of the law. Making additional copies means a little more work for treasurers, but these days it is not difficult to make copies. Call it one of the burdens of an open electoral system. And perhaps enterprising candidates could turn the multiple filings into publicity opportunities!

All of these reporting changes would enhance the usefulness of our campaign finance laws and better allow their intent to be served. Some added burdens would fall on committee treasurers. That seems necessary if campaign finance laws are to serve their purpose of letting the public know how candidates for public office finance their campaigns. The integrity of the system is involved, and hard experience has shown that the best assurance of an open, honest electoral system is maximum publicity and public awareness.

This bill contains two provisions intended to strengthen the Public Disclosure Commission's capability for enforcing the Campaign Finance Act and carrying out its other statutory responsibilities. The Disclosure Commission has asked several times to be given additional subpoena power so that it can adequately investigate complaints to determine if there is probable cause for believing them and holding hearings. Subpoena authority in preliminary investigations is held by other state agencies. It is essential to a thorough inquiry. Why should the Disclosure Commission not have this authority? We can think of no good reason for treating the commission differently. The Commission should be allowed to do its job.

Changing the statute to mandate the appointment of an Executive Director for the Disclosure Commission seems necessary to improve the administrative capacity of the agency. The Commission operates with a small staff--too small to do all the things it should be doing. That situation calls for maximum utilization of personnel. You do not get that if there is no one person in charge, able to direct the time of all personnel into the most needed areas of activity. Yet this Commission has not seen fit to appoint a director during its five and one-half years of existence. We believe the Commission should be given a boost toward doing its job. The best campaign finance laws enacted will not achieve their purposes if the Disclosure Commission is unwilling and its staff unable to carry out their responsibilities to the best of their abilities.

In closing we again urge you to consider favorably all of these proposed changes. We believe it is to your advantage to do so. The stronger our campaign finance laws and their enforcement, the more the public will have confidence in and give support to your performance as public officials.

Attachment #
House Elections



BOX 119 • TOPEKA, KANSAS 66601 • 913/272-3456

TESTIMONY BEFORE THE HOUSE ELECTIONS COMMITTEE

TUESDAY, FEB.10,1987

PRESENTED BY: PAUL LOUDERMAN

WIBW AM/FM NEWS DIRECTOR

VICE PRESIDENT OF THE ASSOCIATION OF NEWS

BROADCASTERS OF KANSAS

MR. CHAIRMAN, COMMITTEE MEMBERS, MY NAME IS PAUL LOUDERMAN. I AM THE NEWS DIRECTOR OF WIBW AM/FM IN TOPEKA. I AM ALSO THE VICE PRESIDENT OF THE ASSOCIATION OF NEWS BROADCASTERS OF KANSAS. OUR GROUP HAS 35 ACTIVE MEMBERS; HOWEVER WE ARE CONCERNED WITH ISSUES AFFECTING ALL RADIO AND TELEVISION STATIONS IN KANSAS. I AM HERE TO SPEAK IN SUPPORT OF REPRESENTATIVE ROBERT H. MILLER'S BILL, HOUSE BILL 2159.

OUR ASSOCIATION IS IN FAVOR OF THIS MEASURE FOR SEVERAL REASONS:

1. THIS BILL WOULD ALLOW FOR GREATER SCRUTINY OF CANDIDATE SPENDING. IN MISSOURI, A SIMILIAR CONCEPT HAS BEEN THE LAW SINCE ABOUT 1974. IN MISSOURI, LEGISLATIVE CANDIDATES ARE REQUIRED TO FILE THREE CAMPAIGN FINANCE STATEMENTS FOR THE PRIMARY, AND THREE MORE REPORTS FOR THE GENERAL ELECTION. THE CANDIDATE MUST FILE THESE REPORTS 40 DAYS BEFORE THE ELECTION, 7 DAYS BEFORE THE ELECTION, AND THEN 30 DAYS AFTER THE ELECTION. THE MISSOURI SECRETARY OF STATE'S OFFICE SAYS THERE HAVE BEEN FEW PROBLEMS OR COMPLAINTS ABOUT THE LAW. EACH CANDIDATE IS REQUIRED TO SEND FINANCE STATEMENTS NOT ONLY TO JEFFERSON CITY TO THE SECRETARY OF STATE'S OFFICE, BUT ALSO TO THE COUNTY COURTHOUSES IN THEIR DISTRICTS. I WOULD ENCOURAGE YOU TO CONTACT PAUL BLOCH, DIRECTOR OF CAMPAIGN REPORTING IN JEFFERSON CITY(314-751-4936).

*Attachment 2
House Elections*

BROADCAST SERVICES OF STAUFFER COMMUNICATIONS, INC.

- WIBW-TV AM-FM
CBS-Topeka, Kansas
- KCOY-TV
CBS-Santa Maria, Calif
- KCBJ-TV
NBC-Columbia, Missouri
- KRNT-KRNQ
CBS-Des Moines, Iowa
- KGNC AM-FM
CBS-Amarillo, Texas
- KCFF RADIO
ABC-Shawnee, Okla.
- TOTAL TELEVISION
Amarillo, Texas
- KANSAS CITY ROYALS NETWORK
Kansas City, Missouri
- STAUFFER SPORTS NETWORK
Topeka, Kansas
- BULLDOG NETWORK
Des Moines, Iowa
- WEATHER VUE
Topeka, Kansas
- KANSAS AGRICULTURE NETWORK
Topeka, Kansas
- KANSAS INFORMATION NETWORK
Topeka, Kansas

2. CURRENTLY, THERE ARE 7 BROADCAST NEWS ORGANIZATIONS THAT HAVE BUREAUS IN TOPEKA AND THUS HAVE IMMEDIATE ACCESS TO THE SECRETARY OF STATE'S OFFICE IN ORDER TO GET THESE CAMPAIGN FINANCE REPORTS. BUT DID YOU KNOW THERE ARE 164 RADIO STATIONS AND 22 TELEVISION STATIONS IN KANSAS? THAT MEANS MANY OF THE SMALL TOWN RADIO AND T.V. STATIONS IN GOODLAND, COLBY, LARNED, JUNCTION CITY AND OTHER COMMUNITIES ARE UNABLE TO REPORT ON LEGISLATIVE CAMPAIGN SPENDING UNLESS THE CANDIDATES PROVIDE THE INFORMATION, OR THE REPORTER TRAVELS TO TOPEKA. AND I CAN TELL YOU THAT NOT MANY REPORTERS CAN AFFORD THE JOURNEY TO THE CAPITAL CITY, MUCH LESS TAKE OFF A DAY FROM THEIR OFFICE TO DRIVE HERE. REPRESENTATIVE MILLER'S BILL WOULD REMEDY THE PROBLEM AND PROVIDE FOR MORE OPEN, AND FRANK DISCUSSION ON CAMPAIGN SPENDING.

3. THE ASSOCIATION FEELS IT IS A VITAL PUBLIC INTEREST THAT THE VOTERS KNOW HOW THEIR CANDIDATES ARE FUNDING THEIR CAMPAIGNS, WHO IS CONTRIBUTING, AND WHO, QUITE FRANKLY, WILL HAVE AN INFLUENTIAL VOICE ONCE THEIR CANDIDATE IS ELECTED.

4. WE STRONGLY SUPPORT THE TIMETABLES SET BY REPRESENTATIVE MILLER FOR THESE CAMPAIGN FINANCE STATEMENTS TO BE FILED. TO GIVE AN EXAMPLE OF DELAYS IN REPORTING WHICH THE ASSOCIATION FEELS IS UNNECESSARY; ON THE LOCAL LEVEL IN TOPEKA, ELECTIONS ARE HELD IN THE SPRING BUT THE MAYORAL AND CITY COUNCIL CANDIDATES ARE NOT REQUIRED TO FILE CAMPAIGN FINANCE REPORTS UNTIL THE END OF THE YEAR. THAT IS AN IRRESPONSIBLE WAY OF THE LAW WHICH WE DISAGREE WITH. WE WOULD HOPE STATE LAWMAKERS WOULD AGREE AND IMPLEMENT MORE TIMELY DEADLINES FOR FILING THESE REPORTS.

*Attachment 2
House Election*

5. FOR THOSE WHO MIGHT SAY THAT FILING THESE CAMPAIGN REPORTS IN THEIR HOME COUNTIES WOULD CREATE A FINANCIAL HARDSHIP, WE WOULD RESPECTFULLY CHALLENGE THAT STATEMENT. THE CAMPAIGN TREASURER IS ONLY REQUIRED TO MAIL THESE STATEMENTS TO THE LOCAL COURTHOUSES AND THE SECRETARY OF STATE'S OFFICE. THAT PROCEDURE SEEMS TO US TO BE VERY SIMPLE AND ITS BENEFITS ARE COUNTLESS. FOR EXAMPLE, A CANDIDATE WHOSE DISTRICT REPRESENTS FIVE COUNTIES WOULD PAY THE POSTAGE AND FOR COPIES OF THE STATEMENTS. THE COST REALISTICALLY WOULD SEEM TO BE UNDER \$5.

6. FINALLY, MR. CHAIRMAN, THE ASSOCIATION OF NEWS BROADCASTERS OF KANSAS FEELS THAT IF A CANDIDATE WISHES TO RUN FOR PUBLIC OFFICE, THEN THIS MEASURE WOULD BE A GOOD INTRODUCTION FOR THE PERSON ABOUT THE NEED FOR AN OPEN GOVERNMENT, AND THE NEED TO KEEP THE VOTERS INFORMED.

I REALIZE THIS BILL IS NOT POPULAR, BUT I ASK THIS COMMITTEE TO SEND THE MEASURE TO THE FULL HOUSE FLOOR SO ALL HOUSE MEMBERS WILL HAVE AN OPPORTUNITY TO SPEAK OUT. CAMPAIGN SPENDING IS A VOLATILE ISSUE THAT IS GROWING LITERALLY IN NUMBERS..... NUMBERS WITH DOLLAR SIGNS ON THEM. THE RECENT GUBERNATORIAL CAMPAIGN PROVED THAT. I ASK YOU TO SUPPORT HOUSE BILL 2159 BECAUSE A YES VOTE IS A VOTE FOR OPEN GOVERNMENT. THANK YOU.

*attachment 2
House Elections*

2/7/87

Mr. Richard Harper
Chair - House Elections Comm.

Dear Sir:

To strengthen disclosure laws
and the Public Disclosure Comm.
are measures whose time has come.
House Bill # 2159 is one that,
I think, deserves the support of
both parties. It seems to me
like a movement for better and
more open elections.

Respectfully,
Lawrence Wisely
1216 So. 7th St.
Ottawa, KS
66002

attachment 3
House Elections



818 Merchants National Bank Bldg., Topeka, Kansas 66612

913/235-1307

February 9, 1987

TO: HOUSE COMMITTEE ON ELECTIONS

FROM: Harriet J. Lange
Executive Director

RE: HB 2159

The Kansas Association of Broadcasters supports the provisions in HB 2159 which would require candidates for state office to file campaign finance reports with their county election offices. Such a requirement would enhance local access to campaign finance information, simplifying the gathering of this information by local news organizations.

We urge your favorable consideration in the interest of achieving a better informed electorate.

HJL/mr

*Attachments 4
House Elections*

PRESIDENT
Hank Booth
KLWN/KLZR, Lawrence

SECRETARY/TREASURER
Don Neer
KTOP/KDVV, Topeka

EXECUTIVE DIRECTOR
Harriet Lange, CAE
KAB, Topeka

Marty Melia
KLOE AM, Goodland

Stu Melchert
KSCB AM/FM, Liberal

Dennis Czechanski
KTKA TV, Topeka

PRESIDENT-ELECT
John Mileham
KWCH TV, Wichita

PAST PRESIDENT
Sam Elliott
KULY/KHUQ
Ulysses/Hugoton
KU, Lawrence

DIRECTORS
Jan Elliott
KLOE TV, Goodland

Cliff Shank
KSKU FM, Hutchinson

Wayne Grabbe
KRSL/KCAY, Russell

Dick Painter
WIBW AM/FM, Topeka

Harlan Reams
KSAS TV, Wichita

1986 POPULATION

CITIES OF FIRST AND SECOND CLASS

Cities of the First Class

Atchison	1 c	11402
Coffeyville	1 c	14590
Dodge City	1 c	19545
Emporia	1 c	27087
Fort Scott	1 c	8746
Garden City	1 c	21685
Hutchinson	1 c	40431
Junction City	1 c	19987
Kansas City	1 e	160468
Lawrence	1 c	54197
Leavenworth	1 c	33068
Lenexa	1 a	23364
Liberal	1 c	15842
Manhattan	1 c	32381
Newton	1 c	16424
Olathe	1 c	46762
Overland Park	1 d	89178
Parsons	1 c	13089
Pittsburg	1 c	18489
Prairie Village	1 a	24141
Salina	1 c	42933
Shawnee	1 d	29947
Topeka	1 e	118945
Wichita	1 c	283496

TOTAL.....1166197

Cities of the Second Class

Abilene	2 c	6430
Anthony	2 b	2743
Arkansas City	2 c	13268
Augusta	2 d	6864
Baxter Springs	2 a	4502
Belleville	2 d	2600
Beloit	2 a	4221
Bonner Springs	2 d	6631
Burlington	2 a	3283
Caldwell	2 b	1332
Caney	2 a	2313
Chanute	2 c	10889
Cherryvale	2 b	2631
Chetopa	2 a	1620
Clay Center	2 a	4824
Colby	2 d	5927
Columbus	2 a	3522
Concordia	2 c	6779
Council Grove	2 a	2285
Derby	2 d	11804
El Dorado	2 c	11272
Elkhart	2 a	2299
Ellis	2 a	2123
Eureka	2 b	3384
Fairway	2 a	4677
Florence	2 a	659
Fredonia	2 b	2873
Frontenac	2 a	2582
Galena	2 a	3566

Garnett	2 c	3333
Girard	2 b	2938
Goodland	2 c	5404
Great Bend	2 a	17637
Halstead	2 a	2021
Harper	2 a	1768
Hays	2 c	18087
Haysville	2 a	8429
Herington	2 c	2893
Hiawatha	2 b	3684
Hillsboro	2 a	2614
Hoisington	2 d	3675
Holton	2 c	2964
Horton	2 b	1960
Hugoton	2 a	3247
Humboldt	2 a	2341
Independence	2 c	10997
Iola	2 b	7025
Kingman	2 b	3592
Kinsley	2 c	2025
Lansing	2 a	6390
Larned	2 d	4875
Leawood	2 a	14482
Lincoln Center	2 a	1417
Lindsborg	2 a	3270
Lyons	2 a	3964
Marion	2 b	1901

Marysville	2 a	3776
McPherson	2 b	12039
Merriam	2 a	11205
Minneapolis	2 a	2060
Mission	2 a	8549
Mulberry	2 a	632
Neodesha	2 b	3261
Nickerson	2 a	1255
Norton	2 a	3277
Osage City	2 a	2829
Osawatimie	2 c	4576
Osborne	2 a	2005
Oswego	2 a	2158
Ottawa	2 c	11042
Paola	2 d	4387
Phillipsburg	2 a	3123
Pratt	2 c	7485
Roeland Park	2 a	7921
Russell	2 d	5647
Sabetha	2 b	2268
Scammon	2 a	449
Scott City	2 a	4167
Seneca	2 a	2334
Sterling	2 c	2187
Ulysses	2 a	4729
Valley Center	2 a	3844
Wamego	2 c	3529
Weir	2 a	810
Wellington	2 d	8183
Winfield	2 c	11770
Yates Center	2 a	2033

TOTAL..... 424366

attachment 5
Hume & Associates

HOUSE BILL No. 2131

By Committee on Elections

1-29

0017 AN ACT concerning elections; concerning write-in candidates;
0018 amending K.S.A. 25-1330, 25-2903, 25-3001 and 25-3006 and
0019 repealing the existing sections.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 New Section 1. (a) Any person desiring to be a write-in
0022 candidate at a primary or general election for a national or state
0023 office shall file with the secretary of state a declaration of intent
0024 to be a write-in candidate. Any person desiring to be a write-in
0025 candidate at a primary or general election for a county office,
0026 except precinct committeemen and committeewomen, shall file
0027 with the county election officer a declaration of intent to be a
0028 write-in candidate. The declaration shall be filed by 12:00 noon
0029 on or before the Friday preceding such election and shall contain
0030 the same information as required by candidates pursuant to
0031 K.S.A. 25-206, and amendments thereto, except that it shall state
0032 that the person is running as a write-in candidate and such
0033 person shall not be required to state that person's party affilia-
0034 tion.

0035 (b) At the time of filing the declaration of intent required by
0036 subsection (a), the write-in candidate shall be deemed a can-
0037 didate for all purposes and provisions of the election laws of
0038 Kansas.

0039 (c) On the Monday before a primary or general election for a
0040 national or state office the secretary of state shall certify the
0041 names of declared write-in candidates to the county election
0042 officer of each county affected by such candidacy. On the Mon-
0043 day before a primary or general election for a county office,
0044 except precinct committeemen and committeewomen, the
0045 county election officer shall certify the names of declared write-

Any person desiring to be a write-in candidate at a primary or general election for a city office in a city of the 1st class shall file with the county election officer of the county in which such city is located a declaration of intent to be a write-in candidate.

attachment 6
House Election

0046 in candidates.

0047 Sec. 2. K.S.A. 25-1330 is hereby amended to read as follows:
 0048 25-1330. *At a primary or general election for a national or state*
 0049 *office write-in ballots are those ballots voted for a person whose*
 0050 *name has been certified to the county election officer by the*
 0051 *secretary of state pursuant to section 1. At a primary or general*
 0052 *election for a county office, except precinct committeemen and*
 0053 *committeewomen, write-in ballots are those ballots voted for a*
 0054 *person whose name has been certified by the county election*
 0055 *officer pursuant to section 1. In all other elections, ballots voted*
 0056 *for any person whose name does not appear on the machine as a*
 0057 *nominated candidate for office are herein referred to as write-in*
 0058 *ballots. All write-in ballots voted shall be deposited, written or*
 0059 *affixed in a single receptacle or device and the elector may vote*
 0060 *in or by such receptacle or device for one or more persons whose*
 0061 *names do not appear upon the machine with or without the*
 0062 *names of one or more persons whose names do so appear. A*
 0063 *write-in ballot must shall be cast in its appropriate place on the*
 0064 *machine or it such vote shall be void and not counted.*

0065 Sec. 3. K.S.A. 25-2903 is hereby amended to read as follows:
 0066 25-2903. Except as otherwise provided by law, if a voter desires
 0067 to vote for a person whose name is not on the ballot, the voter
 0068 shall write the name of such person in the blank space, if any is
 0069 provided, under the appropriate title of the office. *At a primary*
 0070 *or general election for a national or state office a voter may not*
 0071 *vote for any person as a write-in candidate unless such person's*
 0072 *name has been certified to the county election officer by the*
 0073 *secretary of state pursuant to section 1. At a primary or general*
 0074 *election for a county office, except precinct committeemen and*
 0075 *committeewomen, a voter may not vote for any person as a*
 0076 *write-in candidate unless such person's name has been certified*
 0077 *by the county election officer pursuant to section 1. Failure to*
 0078 *make a cross or check mark in the square to the right of such*
 0079 *name shall not invalidate that portion of the ballot unless it is*
 0080 *impossible to determine the voter's intention. If no blank space*
 0081 *is provided for writing in the name of a person whose name is not*
 0082 *on the ballot, voters may not vote for any person whose name is*

On the Monday before a primary or general election for a city office in a city of the 1st class the county election officer of the county in which such city is located shall certify the names of declared write-in candidates.

At a primary or general election for a city office in a city of the 1st class write-in ballots are those ballots voted for a person whose name has been certified by the county election officer of the county in which such city is located pursuant to section 1.

At a primary or general election for a city office in a city of the 1st class a voter may not vote for any person as a write-in candidate unless such person's name has been certified by the county election officer of the county in which such city is located pursuant to section 1.

*Attachment to
 Primary Election*

0083 not on the ballot.

0084 Sec. 4. K.S.A. 25-3001 is hereby amended to read as follows:

0085 25-3001. Election boards shall make the original canvass ac-
0086 cording to the following procedure:

0087 (a) A ballot box shall be opened and a judge designated by
0088 the supervising judge shall take the ballots out of the box either
0089 one at a time or in limited quantities as authorized by the
0090 supervising judge.

0091 (b) A judge shall read and announce the vote on the ballot for
0092 each candidate. In reading and announcing the vote on ballots,
0093 the judge shall so place the ballot that another member of the
0094 election board may view the ballot as the vote is announced. The
0095 clerks shall make a tally mark opposite the name of each can-
0096 didate receiving a vote as announced by the judge. Such tally
0097 marks shall be made upon tally sheets provided by the county
0098 election officer. The supervising judge may direct a judge to
0099 perform the functions of a clerk for limited periods during the
0100 canvass and thereby temporarily relieve one or both clerks.

0101 (c) After one judge announces the votes upon a ballot, ~~he~~
0102 *such judge* shall hand the same to a second judge, who shall
0103 examine it and dispose of it as provided in this act.

0104 (d) Void and blank ballots shall be announced by the judge,
0105 and the clerks shall make one tally mark for each such ballot
0106 opposite the proper designation on the tally sheet.

0107 (e) From time to time during the canvass the clerks shall
0108 compare tally sheets and reconcile any differences to the satis-
0109 faction of a majority of the election board. When the canvass is
0110 completed, the number of votes received by each candidate shall
0111 be written in the indicated place on the tally sheet.

0112 (f) *At a primary or general election for a national or state*
0113 *office, no vote cast for a person as a write-in candidate shall be*
0114 *canvassed unless such person's name has been certified to the*
0115 *county election officer by the secretary of state pursuant to*
0116 *section 1. At a primary or general election for a county office,*
0117 *except precinct committeemen and committeewomen, no vote*
0118 *cast for a person as a write-in candidate shall be canvassed*
0119 *unless such person's name has been certified by the county*

Attachment 6
Hawaii Election

0120 election officer pursuant to section 1.

0121 Sec. 5. K.S.A. 25-3006 is hereby amended to read as follows:
 0122 25-3006. (a) When the election board completes its canvass, it
 0123 shall make three abstracts of the vote cast for all candidates
 0124 whose names are printed on the ballot, all *lawfully cast* write-in
 0125 votes east and all votes cast on questions submitted. Such ab-
 0126 stracts shall be made under the direction of the supervising
 0127 judge upon forms provided by the county election officer. Each
 0128 of such three abstracts shall bear a certificate of the validity
 0129 thereof and each certificate shall be signed by all of the clerks
 0130 and judges at the voting place.

0131 (b) In voting places where voting machines equipped with
 0132 printed election returns mechanisms are used, the counter com-
 0133 partment shall not be opened and the original and duplicate
 0134 originals of the printed return sheets of the votes cast on ques-
 0135 tions submitted and for candidates whose names are printed on
 0136 the official ballot labels, together with the tabulation and inclu-
 0137 sion of any *lawfully cast* write-in votes appearing on the paper
 0138 roll shall constitute the official abstract for the votes cast on that
 0139 machine, when coupled with the other originals and duplicate
 0140 originals of other machines in the voting place and certified as
 0141 abstracts of the vote cast at such voting place, upon forms and in
 0142 the manner prescribed by the county election officer.

0143 (c) The secretary of state may adopt rules and regulations
 0144 prescribing procedures and forms to be used in carrying out the
 0145 provisions of this section and K.S.A. 25-1338, as amended and
 0146 amendments thereto.

0147 Sec. 6. K.S.A. 25-1330, 25-2903, 25-3001 and 25-3006 are
 0148 hereby repealed.

0149 Sec. 7. This act shall take effect and be in force from and
 0150 after its publication in the statute book.

At a primary or general election for a city office in a city of the 1st class no vote cast for a person as a write-in candidate shall be canvassed unless such person's name has been certified by the county election officer of the county in which such city is located pursuant to section 1.

attached
 Harlan E. Anderson