

Approved

RLH 2-16-88
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 9, 1988 in room 521-S of the Capitol.

All members were present except: Rep. King, Excused; Rep. Kline, Excused;
Rep. Littlejohn, Excused; Rep. Helgerson, Excused; and, Rep. Sawyer, Excused.

Committee staff present: Myrta Anderson, Legislative Research
Ron Thornburg, Secretary of State's Office
Mary Torrence, Revisor of Statute's Office
Dottie Musselman, Committee Secretary

Conferees appearing before the committee:

Representative Carl Holmes
Earl Nehring, Common Cause - Kansas
Ron Thornburg, Deputy Assistant, Secretary of State's Office
Bob Coldsnow, Legislative Counsel

The meeting was called to order, and the Chair recognized Representative Carl Holmes. Representative Holmes is the author of HB 2755 - An Act concerning corrupt political advertising.

Representative Holmes came before the committee today to explain his bill, and to give the committee the intent of this piece of legislation. Handout material of an ad which was placed in his paper this past summer was passed to each member. Representative Holmes drew attention to the fact that the "highway plan" on the ad was not the issue, and that this ad was misleading information. He called attention to the fact that the ad did not indicate who had paid for same, and that there was no way to find out who actually did pay for this piece of advertising. He told the committee he had visited with the paper, and they told him that the party who had placed the ad said that if they had to put their names on it, they would cancel running the ad. As time went on, the newspaper did change the telephone number to his Plains number after about 2 weeks.

Earl Nehring, Common Cause - Kansas, was recognized by the Chair. Mr. Nehring came before the committee telling them that they have no objections to HB 2755, but that they were concerned about the particular amendment provision in the statutes, and that it really should go in another section of the statutes.

As there were no questions, and no other conferees for this bill, the hearing was closed on HB 2755.

HB 2739 - An Act Concerning Elections; relating to precinct boundaries was next up for hearing today. At this time the Chair recognized Ron Thornburg, Deputy Assistant, Secretary of State's office. Mr. Thornburg appeared before the committee telling them that his office had asked the committee to introduce this piece of legislation, and that it is a very simple clean-up bill.

Mr. Coldsnow, Legislative Counsel, was now recognized by the Chair. He passed material to the committee with regard to a proposed amendment to HB 2739 as suggested by Dr. George F. McCleary, Jr., Associate Professor of Geography at the University. A copy of the letter dated February 8, 1988, addressed to Mr. Coldsnow, was passed to committee members. Attachment # 1.

A balloon amendment of the proposed legislation on HB 2739 was passed to committee members. Mr. Coldsnow gave the committee an explanation of the proposed legislation changes. Attachment # 2.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S, Statehouse, at 9:00 am a.m./p.m. on Tuesday, February 9, 1988

The hearing was closed on HB 2739 at this time as there were no questions of Mr. Coldsnow.

The Chair now recognized Ron Thornburg. He came before the committee with HB 2778. This bill is relating to federal services absentee ballots; amending K.S.A. 25-1214, 25-1216 and 25-1220 and repealing the existing sections. The office of the Secretary of State had ask the committee for this piece of legislation dealing with federal service ballots, and they ask for three different sections in the introduction of this legislation. One, making it mandatory that all federal service ballots be sent 45 days prior to the election. Secondly, asking for a single application for a primary and general election ballot, and again for federal overseas ballots. Thirdly, they would like to change the site on K.S.A. 25 1214 (a). Mr. Thornburg asked the committee that this bill be passed and be placed on the Consent Calendar.

As there were no questions, the hearing was closed on HB 2778.

Representative Blumenthal made a motion that the committee pass HB 2778 favorably, and that it be placed on the Consent Calendar. Seconded by Representative Foster. Motion carried.

The Chairperson drew attention to HB 2739 again at this time, asking the committee members if they had time to look at the balloon amendment on this bill. After some discussion it was decided that this bill should be held for more study and considered again at a later date.

HB 2755 was the next order of business. Mary Torrence was instructed to bring back to the committee an amendment to this bill. At this time, Representative Foster moved to conceptually amend HB 2755 to place it in the proper section of the statutes. Seconded by Representative Flottman. Motion carried.

Representative Foster moved that HB 2755 be passed from committee favorably, subject to the amendment. Seconded by Representative Flottman. Motion carried.

A motion was made by Representative Flottman to accept the minutes of the February 2, 1988, meeting as written. Seconded by Representative Shallenburger. Motion carried.

The meeting adjourned at 9:35 a.m.

University of Kansas
Department of Geography
Block Boundary Suggestion Program
219 Lindley Hall
Lawrence, KS 66045-2121

Mr. Robert A. Coldsnow
Legislative Counsel
State Capitol -- Room 449-N
Topeka, KS 66612-1591

8 February 1988

Dear Bob:

Here are several points to consider about House Bill 2739.

In line 0025, "two miles to the inch ..." Such a change will allow the use of the U. S. Geological Survey 1:100,000 map series. This series (about 1.6 miles to the inch) is available in two forms: For some counties, there is an individual map published. For the state as a whole, there is complete coverage. This series is based on a digital data file, and provides the core of the file which is used by the U. S. Bureau of the Census.

In line 0027, "and other visible ground features ..." This makes the list all inclusive and would require more than just a road map.

A new line (0031.5): The names of the features which constitute the boundaries of the precincts will be marked on the map(s). The names (or designations) of the precincts shall be marked on the map(s). (We have encountered some problems with maps which have not had this information. If the name is on the map, then the map and the written description will match. If the name is not on the map -- as is the case with many streets and roads on the topographic quadrangles -- then the clerk (election officer) will have to locate it precisely and label it; this is a good checking procedure. It is very helpful to have the precinct name (designation) on the map -- you do not have to work so hard when comparing the written description with the map.)

At the end (0042.5) a new line: New or changed precinct boundaries will be documented for physical existence using either topographic quadrangles of the U. S. Geological Survey or aerial photography. (I expect that, once we have gotten all of the bugs out of the present boundary network, we shall face a number of changes in the next decade which will utilize features that are not on the available maps -- so the photographs will be critical. In any case, there is a great tendency to use "local" maps, and most of these show platted streets; we have had a number of problems convincing the clerks that the streets are not there because they see them on these local maps.)

These are the things that come immediately to mind. What next?

Sincerely,



George F. McCleary, Jr.

attn # 1
Election
2-9-88

HOUSE BILL No. 2739

By Committee on Elections

Handwritten: # 2739-8-88

0017 AN ACT concerning elections; relating to precinct boundaries;
0018 amending K.S.A. 1987 Supp. 25-26a04 and repealing the ex-
0019 isting section.

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

0021 Section 1. K.S.A. 1987 Supp. 25-26a04 is hereby amended to
0022 read as follows: 25-26a04. (a) Each county election officer shall
0023 provide and maintain a suitable map or maps drawn to a scale no
0024 smaller than 1/2 mile to the inch in incorporated places and urban
0025 areas and no smaller than ~~one~~ mile to the inch in rural areas and
0026 clearly delineating all major observable features such as roads,
0027 streams, and railway lines or other visible ground features which
0028 meet the requirements of the federal bureau of the census for use
0029 as census block boundaries and showing the current geographi-
0030 cal boundaries of each election precinct, representative district
0031 and senatorial district in the county. A word description of the
0032 geographical boundaries shall be attached to each map. Such
0033 map, with attached description, shall be a public record.

0034 (b) Each county election officer shall send a copy of each
0035 map or maps with attached description to the secretary of state no
0036 later than January 1, 1988. Such copies shall be public records.

0037 (c) The county election officer shall notify the secretary of
0038 state in writing within 30 days following any changes in the
0039 designation of polling places or changes in the boundaries or the
0040 reorganization of election precincts and shall furnish a copy of
0041 the map or maps showing the current geographical boundaries,
0042 designation and word description of each new election precinct.

0043 Sec. 2. K.S.A. 1987 Supp. 25-26a04 is hereby repealed.

0044 Sec. 3. This act shall take effect and be in force from and
0045 after its publication in the statute book.

"two"

"and"

"The names of the features including municipal boundaries which constitute the boundaries of the precincts shall be shown clearly on the map or maps. The names or designations of the precincts shall be marked on the map or maps."

"The visible ground features of changed or new precinct boundaries shown on the map or maps shall be documented for actual physical existence using either topographical quadrangles of the United States Geological Survey or aerial photography or a plat of the precinct boundaries certified by a licensed engineer or licensed land surveyor and clearly stating and certifying that such engineer or surveyor has personally viewed the precinct boundaries and observed the actual physical existence of the visible ground features delineating such boundaries."

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