

Approved

Date

RLH 3-2-88

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, March 1, 1988 in room 521-S of the Capitol.

All members were present except: Representatives Helgerson and Russell,
both excused.

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

Conferees appearing before the committee:

Earl Nehring, Common/Cause - Kansas
Ron Thornburg, Secretary of State's Office
Jacque Oakes, Kansas City Area Chamber of Commerce
Richard Funk, Kansas Association of School Boards
Jim Edwards, Kansas Chamber of Commerce and Industry
Representative Adam
Representative Hensley
John Reinhart, Secretary of State's Office

The Chairperson called the meeting to order and announced that the hearing on HB 2914 would be a continuation from the meeting on February 25. Earl Nehring, Common/Cause, was recognized at this time. He came before the committee urging support of HB 2914, which is An Act providing for initiation of legislation by the voters of the state. He told members that this bill would permit voters in Kansas to require the State Legislature to consider specific legislation through use of the initiative process, and that his organization supports this proposal as an additional way of providing Kansas citizens a responsive and accountable state government. Attachment #1.

The Chair recognized Ron Thornburg, Secretary of State's office. Mr. Thornburg told members the Secretary of State's office is very supportive of the initiative because of several reasons. One, being the idea that the power of government does flow from the people, and this bill basically does give the people the authority to introduce the legislation. Secondly, voter education. Their office feels that through the initiative, voters are going to get more involved, more interested in the process, and therefore, this can only lead to better things. Mr. Thornburg said that their office would like to see a few changes to this bill.

Jacque Oakes, Kansas City Area Chamber of Commerce came before the committee in opposition to HB 2914, telling them that they believe the existing procedures for making laws have been well, and sound for a long time. Attachment #2.

Richard Funk, Kansas Association of School Boards came before the committee saying his association opposes the provisions found in HB 2914. Attachment #3.

Jim Edwards, Director, Chamber & Association Relations, was now recognized by the Chair. Mr. Edwards appeared before the committee telling them his organization saw no need for HB 2914. He said the process seemed to work in the past, is working today, and by all indications will continue to work efficiently in the future. Attachment #4.

A fiscal note was passed to members on HB 2914. Attachment #5.

Following a discussion, the hearing closed on HB 2914.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections

room 521-S, Statehouse, at 9:00 am a.m./p.m. on Tuesday, March 1, 1988

Representative Adam was recognized by the Chair. Representative Adam came before the committee giving them a briefing on HB 2886. This bill is An Act concerning state governmental ethics; relating to the administrators and executive directors of certain interstate compacts filing statements of substantial interest. Representative Adam told members that HB 2886 will make administrators or executive directors of certain multi-state compacts subject to the requirement to file a statement of substantial interest with the Public Disclosure Commission. Attention was drawn to the penalty provision contained in lines 62-68, and told them this bill offers a small, but beneficial change which will continue that Kansas tradition of open government. Attachment #6.

Earl Nehring, Common/Cause, was recognized. He appeared before the committee saying that his organization endorses HB 2886 as a reasonable extension of our state governmental ethics laws, and they recommend favorable committee action on this bill. Attachment #7.

Larry Montgomery, Kansas Lottery, was next to come before the committee on HB 2886. Called attention to a possible change on Line 50, other than that, the commission was comfortable with the thrust of this bill.

The hearing closed on HB 2886.

The Chair recognized Representative Hensley, who appeared before the committee addressing both of his bills, HB 2896 and HB 2897. HB 2896 is a piece of legislation relating to the use of certain information derived from personnel records of the state. Representative Hensley told members under this bill no person shall knowingly sell, give or receive any list of names and addresses of state officers or employees contained in or derived from personnel or other records of the state, for the purpose of soliciting contributions or the distribution of literature for the support of or opposition to any candidate for political office, political committee or party committee. HB 2897 prohibits the mailings or distribution of political campaign materials to state officers and employees at places of their employment. Attention was called to handout material passed on an article from the Manhattan Mercury. Attachment #8.

A discussion period followed, and the hearing was closed on HB 2896 and HB 2897.

The Chair recognized John Reinhart, Secretary of State's office. Mr. Reinhart appeared before the committee on HB 2982. This is legislation dealing with the printing of ballots. Mr. Reinhart told members this bill is at the prompting of the Kansas County Clerks' Association, and also submitted a copy of a letter from Morton County Clerk explaining difficulties that she had experienced with the current law. He urged members to favorably recommend passage of HB 2982. Attachments #9 and #10.

The hearing closed on HB 2982.

Representative Baker was recognized, and she brought before the committee HB 2353, which relates to the campaign finance act. This was a carry-over from the 1987 session. Materials were passed to members relative to this legislation, and following a discussion period, the suggestion was made to combine HB 2837 (1988 session) and HB 2353. Representative Baker made a motion to combine HB 2837 and HB 2353, as amended to include wording with reference to parties recording their contributions to county officials, as a substitute bill, and this substitute bill be brought before the committee. Representative Blumenthal seconded the motion. Motion carried. Attm. # 11.

Representative Flottman made a motion to accept the minutes of the February 23 and 25th meeting as written. Seconded by Representative Jenkins. Motion carried.

Chairperson Harper made the announcement that a meeting is being called for Wednesday morning again so that the committee could continue discussion

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S, Statehouse, at 9:00 am a.m./p.m. on Tuesday, March 1, 1988

and possible action on all previously heard bills.

The meeting adjourned at 9:58 a.m.



COMMON CAUSE / KANSAS

701 Jackson, B-6
Topeka, Kansas 66603
(Phone: 913-235-3022)

February 25, 1988

Statement in support of House Bill 2914
presented to the House Committee on Elections
by Earl Nehring for Common Cause/Kansas

House Bill 2914 would permit voters in Kansas to require the State Legislature to consider specific legislation through use of the initiative process. Common Cause/Kansas supports this proposal as an additional way of providing Kansas citizens a responsive and accountable state government. It would give to our citizens another avenue for making their desires known to the Legislature.

The proposal has a number of safeguards to prevent the Legislature from being overwhelmed by voter initiative proposals. The number of signatures required and the number of counties in which signatures must be obtained are substantial. The number of proposals on any one ballot is limited. The process of preparing ballot statements is carefully regulated.

All the bill does is require that the Legislature consider any initiative-created legislative proposal and dispose of it as the Legislature sees fit. The worst the Legislature will suffer is having to respond to a strong voter interest. That does not seem too much to expect of elected representatives.

The initiative process proposed in this bill is among the most restricted, when compared with those found in other states. But it does provide one additional opportunity for Kansas voters to participate in their government and feel they can have an impact on public policy.

We recommend that your committee report H. 2914 favorably for passage.

*Attn #1
Elections -
3-1-88.*

KANSAS CITY KANSAS AREA
CHAMBER OF COMMERCE
727 Minnesota Avenue
Kansas City, Kansas

February 25, 1988

House Committee on Elections
Re: Initiation of legislation by voters

Thank you for the opportunity to appear before you today.
I am Jacque Oakes, and I represent Kansas City Kansas Area
Chamber of Commerce.

We believe that the existing procedures for making laws
have been well and sound for a very long time.

Legislators are the representatives of the people whereby
they can deliberate with time and intensity the laws of
the state. On some particular issues of constitutionality,
the legislators take the issues to the people. Then it
becomes the "will of the people." Now, if the will of the
people is heard first, will this preclude the reasoning
and logic in the important steps taken to make a law?
Will the pressure of already hearing from the people make
the methods less compelling?

We urge you to retain the same procedures already in place
for constitutional amendments.

Thank you for your time.

*atm # 2 -
Elections
3-1-88.*

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

5401 S. W. 7th Avenue Topeka, Kansas 66606
913-273-3600

TESTIMONY ON H.B. 2914

by

Richard S. Funk, Assistant Executive Director
Kansas Association of School Boards

February 25, 1988

Mr. Chairman and members of the committee, we appreciate the opportunity to appear today on behalf of the 302 members of the Kansas Association of School Boards. KASB opposes the provisions found in H.B. 2914.

The Kansas Association of School Boards has had a long-standing policy on initiative and referendum. "KASB believes that the adoption of a constitutional amendment providing for Initiative and Referendum procedures for amending the state constitution and statutes is not in the best interest of the people of Kansas."

We believe our policy also extends to legislation that would also serve the same purpose. The people of Kansas already have a mechanism for the initiation of legislation by our state's voters - that is through their elected representative.

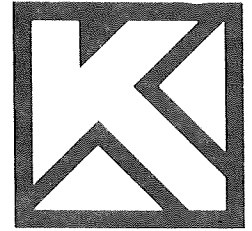
Mr. Chairman and members of the committee, we ask you to report H.B. 2914 unfavorably for passage.

*Att # 3
& Jackson
3-1-88*

LEGISLATIVE TESTIMONY

Kansas Chamber of Commerce and Industry

500 First National Tower One Townsite Plaza Topeka, KS 66603-3460 (913) 357-6321



A consolidation of the
Kansas State Chamber
of Commerce,
Associated Industries
of Kansas,
Kansas Retail Council

HB 2914

March 1, 1988

KANSAS CHAMBER OF COMMERCE AND INDUSTRY

Testimony Before the
House Elections Committee

by

Jim Edwards
Director, Chamber & Association Relations

Mr. Chairman, members of the committee, I thank you for the opportunity to visit with you today about HB 2914 and KCCI's opposition to this issue.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

In the United States today, there are only six states that allow the use of initiative for proposing statutes. This process is commonly known as indirect initiative. The last state to pass legislation allowing for indirect initiative was

*attm #4
3-1-88
Edwards*

Florida, which did so in 1972.

While promoters of initiative will tell you that the process will: 1) increase voter participation; 2) allow the common person access to government at low cost; 3) allow issues to be brought to the forefront that might not otherwise be; and 4) voters will be better educated on the issues. I would today like to address each of these.

First, as far as voter participation goes, the average voter dropoff in the 15 states that had initiative issues on their ballots in 1984 was 10%. In fact, many voters abstain from voting on initiative issues. Simply put, records show that initiative does not increase voter participation.

Secondly, a study by the National Center for Initiative Review, a non profit organization providing information on initiatives, showed that the average cost per vote for initiative issues on 1982 state ballots was 52¢. For Kansas, this could mean that an issue, which could have originally been handled by the legislature, could first incur expenses of approximately \$350,000 yet would still have to go through the legislative process. This seems like a tremendous cost for issues that could have gone directly to the legislature.

Thirdly, it seems hard to imagine that our legislative process can keep real issues facing the state from being discussed. Looking at the number of bills introduced every year, it seems that any issue of statewide concern can be addressed through our existing legislative process.

Last, but certainly not least, I would ask you to think of the last issue, that you as a legislator were asked to look at, that could have been simply stated in 20 words or less, normally two typewritten lines, or summarized in 75 words or less, usually seven typewritten lines. This is how HB 2914 would present proposed legislation. While it probably is brief enough to permit voters to read the question, it most likely is not in depth enough to allow a reasonable decision to be made.

Mr. Chairman and members of the committee, we have a representative form of government and the citizens' right to vote should be viewed as their right to vote

for you, their representatives. Our process seemed to work in the past, is working today, and by all indications will continue to work efficiently in the future. With this in mind, we see no need for HB 2914.

Thank you and I would be happy to stand for questions.

Fiscal Note
1988 Session
February 26, 1988

Bill No.

The Honorable Richard Harper, Chairperson
Committee on Elections
House of Representatives
Third Floor, Statehouse

Dear Representative Harper:

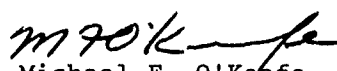
SUBJECT: Fiscal Note for House Bill No. 2914 by Representative Whiteman

In accordance with K.S.A. 75-3715a, the following fiscal note concerning House Bill No. 2914 is respectfully submitted to your committee.

House Bill No. 2914 authorizes and establishes procedures for registered voters in Kansas to initiate legislation by petition. The bill provides that such proposals be submitted to the Secretary of State no later than 180 days prior to the election at which the proposal would be considered. The legislative proposal would then be submitted to the Attorney General for review as to form and legality. The Attorney General also would be responsible for drafting the question in the form it would be presented to voters, as well as a brief explanation. To be placed on the ballot, a proposal would have to be endorsed by petitions containing the signatures of registered voters in not less than 70 counties--each in a number equal to not less than ten percent of the votes cast in that county for the office of Governor at the last general election. No more than three initiative proposals and/or constitutional amendments could appear on a ballot in a single election. If an initiative proposal fails, it could not be resubmitted for four years. If it passes, the proposal would be submitted for introduction in the Legislature.

The Office of the Attorney General estimates that it would require one new attorney position to meet its responsibilities under House Bill No. 2914. The total estimated cost, which would be financed from the State General Fund, is \$32,200 in salaries and wages and \$8,000 in other operating expenditures. The Secretary of State reports that expenses associated with House Bill No. 2914 could be absorbed within existing agency resources. However, the Secretary of State estimates that the bill would increase expenditures incurred by counties for notices, ballots and other election-related items by an amount of \$100,000 or more.

Any state government expenditures resulting from passage of House Bill No. 2914 would be adjustments to State General Fund amounts contained in the FY 1989 Governor's Report on the Budget


Michael F. O'Keefe
Director of the Budget

MFO:JJ:pks

cc: Honorable Bill Graves, Secretary of State
Honorable Robert Stephan, Attorney General

2440

*Attn #5 Elections
Hans
3-1-88*

STATE OF KANSAS

JOAN ADAM
REPRESENTATIVE, FORTY-EIGHTH DISTRICT
305 NORTH TERRACE
ATCHISON, KANSAS 66002-2526



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: ASSESSMENT AND TAXATION
JUDICIARY
TRANSPORTATION
RANKING MINORITY MEMBER: LEGISLATIVE, JUDICIAL,
AND CONGRESSIONAL APPOINTMENT

Mr. Chairman and Members of the
House Elections Committee

Thank you for the opportunity to speak to you today regarding
HB 2886.

HB 2886 will make administrators or executive directors of certain multi-state compacts subject to the requirement to file a statement of substantial interest with the Public Disclosure Commission. The affected compacts are those which, under the statute are authorized to hire staff and those of which Kansas is a member. The penalty provision contained in lines 62-68 is the same penalty to which legislators and certain state employees and others are subject - namely \$10.00 a day for each day the statement remains unfiled - but not to exceed a maximum of \$300. Lines 77-81 authorizes the Attorney General to bring an action to recover this penalty in Shawnee County District Court.

The purpose of this change is to make an additional few people with policy development responsibilities subject to substantial interest reporting requirements. The Executive Director of the Multistate Tax Compact for instance heads a group whose purpose is to facilitate proper determination of tax liability of multistate tax payers, and to promote uniformity in major aspects of the tax system.

Within the past year we have been made aware of the important part the Executive Director of the Low Level Radioactive Waste Compact has played in decisions affecting Kansas; likewise, the Executive Director of the Lottery Commission will play an important part in making decisions which affect Kansans.

HB 2886 offers a small but beneficial change which will continue the Kansas tradition of open government.

I would be happy to answer any questions you may have.

*attm # 6
Elections
3-1-88*



COMMON CAUSE / KANSAS

701 Jackson, B-6
Topeka, Kansas 66603
(Phone: 913-235-3022)

March 1, 1988

Statement in support of House Bill 2886
presented to the House Committee on Elections
by Earl Nehring for Common Cause/Kansas

Common Cause/Kansas endorses House Bill 2886 as a reasonable extension of our state governmental ethics laws. Our organization has always supported requirements that written statements of substantial interest be required of state officials and employees occupying positions in which their holdings of substantial business or investment interests might become a potential source of conflict of interest in the performance of their responsibilities.

This proposal extends the application of existing statutes to administrators or executive directors of certain interstate compacts and commissions. Given the increased use of such interstate agreements for carrying out public policy, the administrative complexities of such interstate operations, and the potential for serious conflicts of interest in such arenas as lotteries, radioactive waste disposal and water usage, we believe the proposed extension will serve the public's interests well.

We have not researched the question of whether there may be still other compacts or commissions which should be covered. We accept the judgment of the bill's sponsors that those named are the agencies appropriately subjected to the statutes. These agencies all deal with important areas of public policy.

We recommend favorable committee action on this bill.

Att # 7
House Election
3-1-88

DATE:

Pres. 7-21-87

- | | | |
|-------------------------------------------------|-------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> TOPEKA CAPITAL-JOURNAL | <input type="checkbox"/> GARDEN CITY TELEGRAM | <input checked="" type="checkbox"/> MANHATTAN MERCURY |
| <input type="checkbox"/> WICHITA EAGLE-BEACON | <input type="checkbox"/> HAYS DAILY NEWS | <input type="checkbox"/> PARSONS SUN |
| <input type="checkbox"/> KANSAS CITY STAR | <input type="checkbox"/> HUTCHINSON NEWS | <input type="checkbox"/> PITTSBURG MORNING SUN |
| <input type="checkbox"/> KANSAS CITY TIMES | <input type="checkbox"/> LAWRENCE JOURNAL WORLD | <input type="checkbox"/> SALINA JOURNAL |
| <input type="checkbox"/> EMPORIA GAZETTE | <input type="checkbox"/> LEAVENWORTH TIMES | |

Mailings legal but not proper

Attorney General Bob Stephan is presumably correct in finding no violation of the law by two GOP groups that sent political brochures and letters to workplaces of state employees, but he went too far when he added that allegations of impropriety were unjust, for even if the mailings were indeed legal, they were nevertheless decidedly improper.

The problem lies not so much in the materials that were merely promotional—"Hayden Highlights," for example, the four-page fliers produced for Gov. Mike Hayden by the Kansas Republican Party—but primarily in the letters soliciting contributions to the presidential campaign of Sen. Bob Dole.

State law provides that no "officer, agent, clerk or employee of this state" will be permitted to use his or her authority to "compel" any other officer or employee to join political organizations or to make political donations. It's true, of course, as Stephan pointed out, that neither the Kansas Republican Party nor Dole is an "officer, agent, clerk or employee" of the state and that they are free, therefore, to mail campaign solicitations to any address they might choose. But state employees—particularly those who came to their jobs under the current administration—may very well feel undue pressure to make the requested contributions, and that's not right.

For the record, there is no indication whatever that either Hayden or Dole knew that the material was being sent to employees' workplaces. In fact, it appears that even the staff members who handled the mailings weren't aware of this either. They simply obtained mailing lists from various Republican candidates and fed them into a computer.

In any case, Rep. Anthony Hensley, D-Topeka, says he will introduce legislation next year to beef up the law governing solicitations of donations from state employees. It's clear that the present law isn't broad enough to provide the necessary protection.

*HB 2896
HB 2897
Attm # 8
House Elections
3-1-88*



Dole For President
EISENHOWER TRUST
MEMBERSHIP ACCEPTANCE FORM

TO: SENATOR BOB DOLE

006KS8

FROM:

~~XXXXXXXXXX~~
C/O Topeka State Hospital
2700 Sw 6th, 1st Floor
Topeka, Kansas 66606

Senator Dole,

I accept this honor with great pride! You can count on me to serve as a Member of the Eisenhower Trust.

I have enclosed my membership gift of:

\$12.50 for the month of June. I pledge to send \$12.50 per month for the next eleven months.

\$150.00 for the entire year!

I am sorry I cannot serve as a Member of the Eisenhower Trust but I am enclosing a special gift to help you.

\$100 \$75 \$50 \$25 Other \$_____

Please sign here ~~XXXXXXXXXX~~

The Federal Election Commission requires we ask the following:

Occupation _____

Place of Business _____

Home Address _____

Please make checks payable to: Dole For President
1828 L Street, N.W.
Washington, D.C. 20036

DOLE FOR PRESIDENT

PLEDGE OF SUPPORT

WHEREAS; We must have a President who can lead America into a new decade of opportunity and growth for all Americans; and,

WHEREAS; We must elect a President in 1988 who can stand up to the Democrats in Congress and fight against their spending our hard-earned tax dollars on "give-away" programs and pork barrel; and,


WHEREAS; We must elect a President who will work to reduce the Federal Deficit and to pass a Balanced Budget Amendment to force the weak-willed Congress to spend only what they can afford; and,

WHEREAS; We need a President in 1988 who can stand up to the Soviets and fight Soviet expansion.

THEREFORE: I hereby accept your invitation to become a member of the Bob Dole for President National Steering Committee. I will support Bob Dole for President in 1988; you may release my name to the media.

B070

FROM:


 C/O Topeka State Hospital
 2700 SW 6th, 1st Floor
 Topeka, KS 66606



(Please sign your full name here)

Dole For President National Steering Committee RSVP Reply Memorandum To:

Senator Bob Dole
 Republican Leader, U.S. Senate

Dear Senator Dole,

- YES, You have my support. I will join as a member of your Dole For President Steering Committee. Enclosed is my personal gift to help you get the campaign up and moving:
- \$500 \$250 \$100 \$50 \$35 \$25 Other _____
- My check is made payable to Dole for President Exploratory Committee.

(Please remember that we must receive an average of \$29 from each person who contributes—so please send your maximum gift.)

The Federal Election Commission requires we ask the following information, and we must have it to qualify for matching funds.

Full Name: _____

Home Address: _____

City _____ State _____ Zip _____

Occupation: _____

Name of Employer: _____

Signature: _____
(Your signature must appear on this line for FEC purposes. Thank You.)

- Please contact me. I want to help with volunteer work. I Will:
 - Volunteer in my State Host a meeting
 - Distribute literature Make phone calls

Bill Graves
Secretary of State



2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236

STATE OF KANSAS

HOUSE ELECTIONS COMMITTEE
March 1, 1988

House Bill 2982

For many years, counties have been at an economic disadvantage because of restrictions on ballot printing. House Bill 2982 eliminates those disadvantages by lifting the restrictions on who may print ballots and where they may be printed. It also does away with the requirement that the secretary of state's office establish ballot rates by rules and regulations.

State law already gives county clerks responsibility for the printing of ballots. This bill would give them that responsibility in fact as well as law, by allowing the clerk to arrange for the printing of ballots just as she would any other county purchase.

Currently, our office establishes ballots rates with the advice and assistance of the director of printing and the director of accounts and reports. In practice we have found that this procedure results in rates that are either too high or too low, but never just right.

We believe that by giving the clerk complete responsibility for ballot printing and price, that more

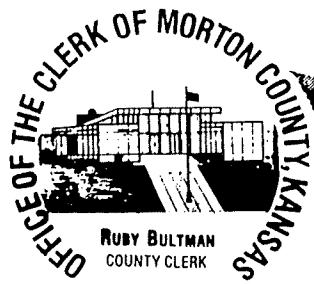
*Attm 1/1
3-1-88
Elections.*

reasonable rates may be obtained. The clerk has several options including the competitive bid process.

This bill is at the prompting of the Kansas County Clerk Association. I have submitted a letter from Morton County Clerk Ruby Bultman explaining difficulties that she has experience with current law.

On behalf of Secretary of State Bill Graves, I urge favorable passage of H.B. 2982.

COUNTY COMMISSIONERS
DALLAS BRESSLER, Rolla
J.B. ALEXANDER, Elkhart
BOB BOALDIN, Elkhart



BOX 1116 Phone 697-2157

ELKHART, KANSAS 67950

The Board of County
Commissioners Meet The
First and Third Monday
of Each Month

February 19, 1988

Office of Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594

Attn: John Reinhardt

RE: Printing of Ballots

K.S.A. 25-604(a): The county election officers shall have charge of the printing of the ballots for all elections. The county election officer shall let the contract for the printing of any such ballots to some newspaper printed in Kansas and published with the original entry of such newspaper in the mail in the county or to any printer within the county. . .(b) Ballots shall be in the possession of the county election officer at least five days before the election . . .

Morton County has the service of one newspaper and one retail office supply store.

I have been a county election officer since December, 1981.

In 1986, I had difficulty getting ballots printed in compliance with "ballots shall be in the possession of the CEO at least five days before election".

I will attempt to share with you the dates in the sequence of events preparing for the primary election August 5, 1986.

On June 27, I took to the printer the county ballot layout and names of candidates. On July 2, I took in the national and state layout with name rotation. I said I would appreciate having the ballots as early as possible. I expected the rough draft to be set in a week to ten days. I received the rough draft on July 17 (Friday), proofed them over the weekend, and returned them to the printer Monday July 21, and stated to the printer I hoped to get the ballots that week. I checked on July 28 and found nothing had been done. On July 29, the editor of the newspaper said they were waiting for plates to arrive by UPS, and did not know when they would do them. On the evening of July 30, I called the owner (and printer) at home; he said he didn't know I wanted them, and he would start printing the next morning. The first ballots were delivered at 10:00 a.m. Thursday, and all ballots were received by 4 p.m. Thursday, July 31.

I have documented these details for only one reason. More time is needed. An error on a ballot (caused by either the election officer or printer) would mandate a reprint.

*Att # 10
3-1-88
Election*

Office of Secretary of State
page 2

If ballots are accurate, but are not received until late in the day on Thursday, that leaves only one business day (Friday) for ballots to be sorted, counted, packaged, receipted, and made ready to issue to the election board supervisors on Monday.

I had provided the printer with all the information one month in advance, asking to work with the person who would be setting the type on the ballots. I had received the ballots only one business day before they were to be distributed to the election boards.

I have always started working with my printer early, and at least 75 per cent of the times have been concerned if I would receive the ballots when needed.

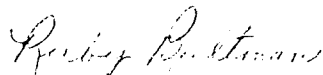
For the general election in November, 1986, I wanted to use a different printer. I checked with county clerks in adjoining counties for reference. I contacted a printer in Grant County and asked if he printed ballots. He said, "Yes, I like to do ballots, and we can make a profit on the state schedule. I would like to do your ballots."

I was advised I must print "in county". The retail office supply store in Elkhart takes orders for printing, so I asked them to provide me in writing a statement of what they do. Then, I asked the county attorney to define "printer" as per K.S.A. 25-604. By this method, I was able to contract for ballots with another printer and was billed through my office supply store.

Some firms like to be involved with and print ballots; some do not. Some counties have many sources of printing; others have only one. The responsibility of legitimate ballots falls on the county election officer. I feel that officer should use the county source of printing when the service and quality are acceptable, but should also have the authority to get ballots printed elsewhere, if necessary, for purposes of economy, accuracy, or time consideration. I feel ballots should be delivered to the election officer at least five business days before an election.

Thank you for your consideration.

Sincerely,



Ruby Bultman
Morton County Clerk

rb

STATE OF KANSAS

ELIZABETH BAKER
REPRESENTATIVE, EIGHTY-SECOND DISTRICT
SEDGWICK COUNTY
1025 REDWOOD RD.
DERBY, KANSAS 67037



TOPEKA

HOUSE OF
REPRESENTATIVES

February 25, 1988

COMMITTEE ASSIGNMENTS
MEMBER: ECONOMIC DEVELOPMENT
ELECTIONS
JOINT COMMITTEE ON
ECONOMIC DEVELOPMENT
LOCAL GOVERNMENT

TO: House Committee on Elections
FROM: Representative Elizabeth Baker
RE: HB 2353

HB 2353 relates to the campaign finance act. It provides that any publicly funded organization that expends funds for political purposes must comply with the campaign finance act.

The rationale for HB 2353 is readily apparent in Attachment A. Many small organizations look to their associations to provide leadership and expertise on the broad issues of state. For associations who have been given statutory authority to be funded by taxpayers' dollars and then to use those hard-earned dollars in an attempt to influence the outcome of partisan elections is offensive to fundamental principles of fairness. I urge your careful consideration of this matter and the ultimate passage of HB 2353.

/fs

*Att #11
House Elections
3-1-88.*



League of Kansas Municipalities

ATTACHMENT A

PUBLISHERS OF KANSAS GOVERNMENT JOURNAL/112 WEST SEVENTH ST., TOPEKA, KANSAS 66602/AREA 913-354-9565

TO: League Voting Delegates and Other City Officials
FROM: Mayor John L. Carder, Iola, President, League of Kansas
Municipalities
RE: Annexation
DATE: October 7, 1986

Unfortunately, it appears certain that much of our lobbying efforts during the upcoming 1987 Legislative Session will focus on opposition to annexation bills which are contrary to the interest of cities and the League's Convention-adopted Statement of Municipal Policy.

The motivation and strategies employed by our opponents on the annexation issue have been discussed with the Convention Delegates, as has been the strategy used by the League in previous years in response to our opponents.

At the direction of the League Governing Body, at its meeting on October 5, 1986, I am asking for your active involvement in our annexation lobbying efforts for 1987, beginning now. The strategy is based on the Governing Body's assumption that the League's fundamental position in opposition to anti-annexation legislation will be continued by the 1986 Voting Delegates.

We will only be able to survive another forray into the annexation wars by exerting greater pressure upon our local Senate and House members. The following attached materials are intended to serve that purpose:

- (1) City Resolution. Use this resolution as a form for your own. Send copies to your local Senator, Representative and general election opponent (if any), to the local news media, and to the League office.
- (2) Letters to Legislators. Use the form letters only as a guide to educating your legislators, and legislative candidates, of the importance we place upon retaining the current annexation law. These letters are also designed to put legislators on the record, in writing, as to whether they support or oppose Kansas cities on annexation.

These letters are critical to our success— not only because they show grass-roots concerns for the issue, but also because the responses will be used for measuring our support going into the 1987 session. They will also be used to ensure that favorable positions taken by legislators in October do not turn against us during the Legislative session.

Please send out the letters as soon as possible. Attach the City's Resolution and the League Policy Statement to these letters. Strongly request written responses to your letters, even if you know how the legislator will respond. Remember to send a copy of each legislator's response to the League office.

- (3) Voting Records on Annexation. Note the attached record of roll-call votes on annexation. Educate yourselves, your local news media and the city's voters, as to how your local delegation voted on HB 2117--the bill strongly opposed by the League in 1985 and 1986.

Simply put, we--the City Voting Delegates--have mutually decided our course on this issue. Our position is the right one. Now we must work to see it successful. Whether you annex or not, annexation authority is of great importance to the ability of all our cities to survive and to grow. We must all work together if we are to win this battle--for the future of Kansas cities.

Resolution No. _____

A Resolution urging the Kansas Legislature not to enact any legislation further restricting the authority of cities to annex territory pursuant to K.S.A. 12-519 et seq.; and supporting the Policy Statement on Annexation adopted by the League of Kansas Municipalities on October 7, 1986.

Be It Resolved by the Governing Body of the City of _____:

Section 1. We support the retention of the Kansas annexation law, K.S.A. 12-519 et seq., in its present form and oppose any legislative efforts to amend that law in any way which will further restrict the basic power of cities to annex adjacent territory that is urbanized or urbanizing.

Section 2. It is the finding of this Governing Body that any additional legislative restriction on the authority of cities to annex is contrary to the interests of the people of the City of _____. Further restrictions upon this City's ability to define its own boundaries will hamper our ability to provide for the planned orderly development of this community, will obstruct our ability to promote economic development both within and without the city, will result in substandard urban fringe development, and is contrary to the home rule concept of local decision-making and local government control over matters of local affairs and government.

Section 3. We further find that the present unilateral annexation authority of K.S.A. 12-520 is necessary to our ability to remove the tax unfairness which results from subsidization by city taxpayers of non-city fringe dwellers who use the city's streets, facilities, programs and services on a daily basis, but who are not required to contribute towards the costs of such streets, facilities, programs and services.

Section 4. Finally, we strongly support the position on annexation adopted by the Voting Delegates to the League of Kansas Municipalities Annual City Conference on October 7, 1986.

Section 5. The City Clerk is hereby directed to mail a copy of this resolution to State Senator _____, Representative _____ and to _____, candidate for State Representative.

ADOPTED by the Governing Body of the City of _____, Kansas this ____ day of October, 1986.

_____, Mayor

ATTEST:

_____, City Clerk

October __, 1986

Dear Representative ____ and
Candidate _____:

This letter is to advise you that the City of _____, by Resolution of its Governing Body, has requested that the Kansas Legislature not pass any laws at the 1987 Session which would place additional restrictions upon the legal authority of the City of _____, and other cities in Kansas, to annex territory. The Resolution further specifically endorses the Policy Statement on Annexation adopted by the Delegates to the League of Kansas Municipalities Annual City Conference on October 7, 1986. Copies of the City's Resolution and the League-adopted Policy Statement are attached.

Retention of the present annexation law is of vital importance to the future of our city. It is an effective and workable law based on fairness to individuals and to the public at-large. It allows cities to grow and develop by adding urbanizing territory, but is also protective of the rights of property owners. Not only is it a fair law on paper, it is one we use fairly. We do not indiscriminately annex land, nor do we use expansion of the city's tax base as the basis for approving an annexation.

Over the past few legislative sessions, with all the very real and critical problems facing Kansas, too much time and emotion has been unwisely spent in failed efforts to amend a law that does not need to be amended. Legislators who advocate greater restrictions to the present annexation law are actually proposing that cities be stripped of an important tool for economic development. Those legislators are apparently willing to sacrifice annexation in order to quell the clamor of some property owners who oppose annexation for personal economic reasons—they want to live near a city, and enjoy its benefits, but don't want to pay any of the costs associated with those benefits. In short, these people now enjoy a subsidization by city taxpayers, and they sometimes object to the prospect of losing that subsidy. Their opposition to annexation is predictable, as it is based on their financial self-interest and not the public interest of the entire community.

It is only when cities such as ours are provided with an effective annexation law like our current one that we are able to plan for growth and encourage development. Just as the citizens of Kansas are demanding that the Legislature work to promote new and expanded business and job opportunities, so too are the citizens of _____ demanding of us, their locally-elected representatives, that we do all we can to expand the local economy. The simple fact is that we can much better meet that demand with the present annexation law than we can without it.

We ask both of you for your support of this City's position on annexation.

Both as representatives of your constituency in the City and as locally-elected officials who must live with the laws you pass, we ask for you to advise us as to your position on annexation and for your response to the position we have taken. If you favor changes to the present law, would you advise us as to what you find objectionable in the law, and what you will propose, or support, in the way of amendments to it?

Please assist us in our effort to keep the annexation law as it is. Certainly your attention will be needed for more real and pressing concerns facing the Kansas Senate.

Thank you for your attention to our request.

Sincerely,

_____, Mayor
_____, (Councilmember or
Commissioner)

October __, 1986

Dear Senator _____:

This letter is to advise you that the City of _____, by Resolution of its Governing Body, has requested that the Kansas Legislature not pass any laws at the 1987 Session which would place additional restrictions upon the legal authority of the City of _____, and other cities in Kansas, to annex territory. The Resolution further specifically endorses the Policy Statement on Annexation adopted by the Delegates to the League of Kansas Municipalities Annual City Conference on October 7, 1986. Copies of the City's Resolution and the League-adopted Policy Statement are attached.

Retention of the present annexation law is of vital importance to the future of our city. It is an effective and workable law based on fairness to individuals and to the public at-large. It allows cities to grow and develop by adding urbanizing territory, but is also protective of the rights of property owners. Not only is it a fair law on paper, it is one we use fairly. We do not indiscriminately annex land, nor do we use expansion of the city's tax base as the basis for approving an annexation.

Over the past few legislative sessions, with all the very real and critical problems facing Kansas, too much time and emotion has been unwisely spent in failed efforts to amend a law that does not need to be amended. Legislators who advocate greater restrictions to the present annexation law are actually proposing that cities be stripped of an important tool for economic development. Those legislators are apparently willing to sacrifice annexation in order to quell the clamor of some property owners who oppose annexation for personal economic reasons--they want to live near a city, and enjoy its benefits, but don't want to pay any of the costs associated with those benefits. In short, these people now enjoy a subsidization by city taxpayers, and they sometimes object to the prospect of losing that subsidy. Their opposition to annexation is predictable, as it is based on their financial self-interest and not the public interest of the entire community.

It is only when cities such as ours are provided with an effective annexation law like our current one that we are able to plan for growth and encourage development. Just as the citizens of Kansas are demanding that the Legislature work to promote new and expanded business and job opportunities, so too are the citizens of _____ demanding of us, their locally-elected representatives, that we do all we can to expand the local economy. The simple fact is that we can much better meet that demand with the present annexation law than we can without it.

We are aware of your votes on HB 2117, the anti-annexation bill opposed by Kansas cities during the 1986 Session. As you know, that bill was passed, but was vetoed by Governor Carlin. We ask you for your support of this City's position on annexation.

Both as representatives of your constituency in the City and as locally-elected officials who must live with the laws you pass, we ask for you to advise us as to your position on annexation and for your response to the position we have taken. If you favor changes to the present law, would you advise us as to what you find objectionable in the law, and what you will propose, or support, in the way of amendments to it?

Please assist us in our effort to keep the annexation law as it is. Certainly the attention of those who are elected will be needed for more real and pressing concerns facing the Kansas House of Representatives.

Thank you for your attention to our request.

Sincerely,

_____, Mayor

_____, (Councilmember or
Commissioner)

POLICY STATEMENT ON ANNEXATION

The following statement on annexation was adopted by the City Voting Delegates of the League of Kansas Municipalities on October 7, 1986

ANNEXATION

(1) Cities are of vital importance to the state and to the general public, both city residents and non-residents. Cities are where three-fourths of all Kansans live. Cities provide people with a sense of place or community. Cities are where most jobs now are, and where most jobs will be in the future. Cities, through their taxpaying residents, contribute the large bulk of the taxable income and retail sales which support the state general fund. It is contrary to the public interest, to the future economic development of Kansas, and to the long-term interest of state government itself, to bring about the gradual destruction of cities as viable places to live and work by denying cities adequate power to annex and grow - to make that which is part of the urban community a part of the legal corporate municipality.

(2) If Kansas is to meet the governmental and public service needs of people, property and businesses in urbanized areas, there are only two alternatives to annexation -- either the continued growth and proliferation of special districts, or the expansion of county government as a municipal service agency. We believe either alternative is undesirable and unacceptable. The number of special purpose districts required as a substitute to city growth through annexation would result in a quagmire of our already complex local government structure; an increase in the number of general improvement districts would simply result in the creation of a confusing jungle of pseudo-cities, under a different name. Perhaps, in the distant future, counties may legally replace cities. We believe this would simply shift certain problems to a different arena. There is also the very practical reality that, in all but Wyandotte County, the urban portion of counties is but a fraction of the whole county, and farmland should not be taxed to provide services of exclusive benefit to non-farm fringe areas, any more than property within cities should be taxed to provide services of exclusive benefit to non-city areas.

(3) For the past two decades, Kansas has benefited from effective and workable general annexation laws. These laws have been used responsibly, by locally elected governing bodies, to achieve the long-term public interest of the entire community. We recognize that conflicts often result from annexation, since the private interest of the individual landowners and the long-term public interest are not always compatible. Cities do understand the financial, tax advantages of property owners being located in the "community city" but outside the "legal city." Cities also understand that annexation is often not the politically popular thing to do, even though the landowners may have created the situation by making residence and development decisions with the intent to obtain the benefits, services and amenities of a city, but not the responsibilities. It may be more appropriate to criticize cities for past failures of annexing too little, too late, rather than too much. Such criticism may be especially valid where governing bodies have failed to undertake timely annexations because of a lack of concern about the long-term future of the city, or simply out of fear of provoking the wrath of non-city property owners.

(4) We believe that state laws should favor the annexation of land into existing, functioning cities as the preferred avenue for providing municipal services to unincorporated areas now urbanized or which are becoming urbanized. We believe it imperative that the legislature retain for cities adequate and workable annexation authority, which will secure the long-term public interest and total community needs.

(5) We believe that the owners or residents of land adjoining a city should not be granted a statutory right to vote on or consent to annexation. It is essential that the long-term public interest of the whole community be given priority in municipal growth, in the same manner that other, over-all community needs in our society occasionally require the sacrifice of some private goals and interests in order to achieve the greatest social utility of the area and benefits to the many. It is untenable to us that the owners of land within the

fringe area, whose location has benefits and value primarily in relation to the existence of the city, should be given veto power over the geographic, economic and governmental destiny of the whole community.

(6) We oppose any legislation which further restricts the basic power of cities to annex adjacent territory that is now urbanized or is becoming urbanized. However, we are supportive of actions to assure by law greater political due process for the owners of land subject to annexation, which still maintains workable and effective annexation authority, as follows:

- (a) requiring planning commission review of proposed annexations;
- (b) providing for notice of intent to annex to other governmental units;
- (c) mandating public hearings in areas under consideration for annexation;
- (d) specifically authorizing service extension agreements, conditioned on possible future annexation; and
- (e) establishing a procedure for deannexation upon the failure of a city to timely provide major municipal services, as specified in the city's service delivery plan.

(8) Cities should have full authority to control who provides utility services to areas annexed to the city. The existing electric territorial act should not be changed except to provide for reasonable compensation for existing facilities when the city or another supplier assumes jurisdiction as a result of an annexation.

(9) We request an interim legislative study of the adequacy of the planning and development regulations applicable to the fringe areas of cities. We believe that cities should have more control or influence over adjacent developments which may become a part of the city in the future, or other assurance that urbanized development in the fringe area will meet urban standards.

REPRESENTATIVES

Legislators Voting Consistently with League on Annexation Bills*

Legislators with "Mixed" Voting Records on Annexation Bills*

Legislators Voting Consistently Against League on Annexation Bills*

1.	Acheson	Topeka
2.	Adam	Atchison
3.	Barkis	Louisburg
4.	Blumenthal	Merriam
5.	Brady	Parsons
6.	Branson	Lawrence
7.	Buehler	Claflin
8.	Bunten	Topeka
9.	Dean	Wichita
10.	Dillon	Kansas City
11.	Douville	Overland Park
12.	Dyck	Hesston
13.	Fox	Prairie Village
14.	Fry	Little River
15.	Fuller	Wichita
16.	Gjerstad	Wichita
17.	Grotewiel	Wichita
18.	Harder	Buhler
19.	Heinemann	Garden City
20.	Helgerson	Wichita
21.	Holmes	Plains
22.	Jarchow	Wichita
23.	Justice	Kansas City
24.	Kline	Overland Park
25.	Knopp	Manhattan
26.	Louis	Shawnee
27.	Lowther	Emporia
28.	Luzzati	Wichita
29.	Mainey	Topeka
30.	Mayfield	Overland Park
31.	Nichols	Ottawa
32.	O'Neal	Hutchinson
33.	Ott,B.	Salina
34.	Patrick	Leawood
35.	Patterson	Independence
36.	Pottorff	Wichita
37.	Reardon	Kansas City
38.	Roy	Topeka
39.	Runnels	Topeka
40.	Snowbarger	Olathe
41.	Sughrue	Dodge City
42.	Turnquist	Salina
43.	Vancrum	Overland Park
44.	Wagnon	Topeka
45.	Walker	Newton
46.	Webb	Wichita
47.	Whiteman	Hutchinson

1.	Campbell,K.	Miltonvale
2.	Charlton	Lawrence
3.	Cloud	Lenexa
4.	Cribbs	Wichita
5.	Duncan	Wichita
6.	Flottman	Winfield
7.	Foster	Wichita
8.	Friedeman	Great Bend
9.	Hensley	Topeka
10.	Hoy	Fairway
11.	Love	Kansas City
12.	Peterson	Kansas City
13.	Ramirez	Bonner Springs
14.	Schmidt	Hays
15.	Shriver	Arkansas City
16.	Solbach	Lawrence
17.	Sprague	McPherson
18.	Sutter	Kansas City
19.	Wilbert	Pittsburg

1.	Apt	Iola
2.	Aylward	Salina
3.	Baker	Derby
4.	Barr	Auburn
5.	Bideau	Chanute
6.	Bowden	Goddard
7.	Braden	Clay Center
8.	Brown	Stanley
9.	Bryant	Washington
10.	Campbell,C.	Beloit
11.	Chronister	Neodesha
12.	Crowell	Longton
13.	Crumbaker	Brewster
14.	DeBaun	Osage City
15.	Eckert	Wetmore
16.	Erne	Coffeyville
17.	Francisco	Maize
18.	Freeman	Burlington
19.	Goossen	Goessel
20.	Graeber	Leavenworth
21.	Green	El Dorado
22.	Guldner	Syracuse
23.	Hamm	Pratt
24.	Harper	Fort Scott
25.	Hassler	Abilene
26.	Hayden	Atwood
27.	Jenkins	Leavenworth
28.	Johnson	Kansas City
29.	King	Leon
30.	Lacey	Oswego
31.	Laird	Topeka
32.	Leach	Linwood
33.	Littlejohn	Phillipsburg
34.	Long	Harper
35.	Miller,D.	Eudora
36.	Miller,R.D.	Russell
37.	Miller,R.H.	Wellington
38.	Mollenkamp	Russell Springs
39.	Moomaw	Dighton
40.	Neufeld	Ingalls
41.	Ott,K.	Mulvane
42.	Polson	Vermillion
43.	Rezac	Onaga
44.	Roe	Mankato
45.	Roenbaugh	Lewis
46.	Rolfs	Junction City
47.	Roper	Girard

continued

REPRESENTATIVES (Cont.)

Legislators Voting Consistently with League on Annexation Bills*

- | | | |
|-----|----------|-------------|
| 48. | Williams | Wichita |
| 49. | Wisdom | Kansas City |

Legislators with "Mixed" Voting Records on Annexation Bills*

- | | | |
|-----|-----------|----------------|
| 48. | Rosenau | Kansas City |
| 49. | Sallee | Troy |
| 50. | Sand | Riley |
| 51. | Shore | Johnson |
| 52. | Sifers | Mission Hills |
| 53. | Smith | Topeka |
| 54. | Spaniol | Wichita |
| 55. | Teagarden | LaCygne |
| 56. | Weaver | Baxter Springs |
| 57. | Wunsch | Kingman |

*Two House votes on HB 2117 were used to compile the above -- a vote of 63-61 to pass HB 2117 on final action on 3/7/85 and a vote of 68 to adopt the conference committee report on HB 2117 on 4/3/86.

SENATORS

Legislators Voting Consistently with League on Annexation Bills*

- | | | |
|-----|------------|-----------------|
| 1. | Anderson | Wichita |
| 2. | Frey | Liberal |
| 3. | Gaines | Augusta |
| 4. | Hoferer | Topeka |
| 5. | Johnston | Parsons |
| 6. | Langworthy | Prairie Village |
| 7. | Martin | Pittsburg |
| 8. | Mulich | Kansas City |
| 9. | Steiniger | Kansas City |
| 10. | Strick | Kansas City |
| 11. | Vidricksen | Salina |
| 12. | Walker | Overland Park |
| 13. | Winter | Lawrence |
| 14. | Yost | Wichita |

Legislators with "Mixed" Voting Records on on Annexation Bills*

- | | | |
|----|--------|-------------|
| 1. | Burke | Leawood |
| 2. | Harder | Moundridge |
| 3. | Karr | Emporia |
| 4. | Morris | Wichita |
| 5. | Reilly | Leavenworth |

Legislators Voting Consistently Against League on Annexation Bills*

- | | | |
|-----|------------|---------------|
| 4. | Allen | Ottawa |
| 2. | Arasmith | Phillipsburg |
| 3. | Bogina | Lenexa |
| 4. | Daniels | Valley Center |
| 5. | Doyen | Concordia |
| 6. | Ehrlich | Hoisington |
| 7. | Feleciano | Wichita |
| 8. | Francisco | Mulvane |
| 9. | Gannon | Goodland |
| 10. | Gordon | Highland |
| 11. | Hayden | Satanta |
| 12. | Kerr, D. | Hutchinson |
| 13. | Kerr, F. | Pratt |
| 14. | Montgomery | Sabetha |
| 15. | Norvell | Hays |
| 16. | Parrish | Topeka |
| 17. | Salisbury | Topeka |
| 18. | Talkington | Iola |
| 19. | Thiessen | Independence |
| 20. | Warren | Maple City |
| 21. | Werts | Junction City |

*Three Senate votes on HB 2117 were used to compile the above -- a vote of 23-16 to pass HB 2117 as amended by the Senate on 2/20/86; a vote of 24-15 to adopt the first conference committee report on 3/31/86; and a vote of 22-18 to adopt the second conference committee report on 4/3/86.