

Approved _____

Date

RW 3-15-88.

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Vice Chairperson Jenkins at _____
Chairperson

9:00 am a.m./p.m. on Thursday, March 3, 1988 in room 521-S of the Capitol.

All members were present except: Representatives Harper, King, Helgerson, Roy, and Sawyer, all 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:

Ron Thornburg, Secretary of State's Office

Vice Chairperson Jenkins called the meeting to order, and asked the committee's pleasure on HB 2831. Attention was called to the members of the proposed amendment which had been handed out at the hearing at another date. Attachment #1.

Representative Foster made a motion to accept and adopt the amendment to HB 2831. Seconded by Representative Baker. Motion carried.

Representative Foster made a motion to recommend HB 2831 favorably, as amended, for passage from committee. Seconded by Representative Russell. Motion carried.

The Chair now recognized Ron Thornburg, Secretary of State's office, and told members the next order of business for today would be hearings on SB 499. Mr. Thornburg came before the committee telling them that SB 499 is a piece of legislation relating to the preservation of ballots and election records, and is a bill that would clarify the records statutes. The bill provides that the county election officer shall preserve all county, city, and township ballots for six months and all state and national ballots for 22 months.

Mr. Thornburg urged the committee to recommend this Senate Bill for passage, and also to recommend that it be placed on the Consent Calendar.

As there were no questions, the hearing closed on SB 499.

SB 500, relating to voter registration, was up for hearing, and the Chair again recognized Ron Thornburg. He told members that SB 500 provides that whenever an official mailing is required to be mailed to a registered voter at the place of residence specified in the registration books, such notice shall be addressed to the current mailing address as it appears in the registration records and shall be sent by nonforwardable first class mail. Mr. Thornburg told members his office is in strong support SB 500.

A discussion period followed at this time. Representative Flottman said that she believes SB 500 would be a very helpful bill to county clerks and election board workers.

A number of County Clerks had called in their support for SB 500, of which a copy was passed to committee members. Attachment #2.

The hearing closed on SB 500.

Meeting adjourned at 9:30 a.m.

HOUSE BILL No. 2831

By Representative Heinemann

2-9

0016 AN ACT concerning elections; relating to methods of becoming
0017 a primary election candidate; amending K.S.A. 25-205 and
0018 repealing the existing section.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. K.S.A. 25-205 is hereby amended to read as fol-
0021 lows: 25-205. ~~(1)~~ (a) The names of candidates for national, state,
0022 county and township offices shall be printed upon the official
0023 primary ballot when each ~~shall have~~ has qualified to become a
0024 candidate by one of the following methods and none other: ~~First,~~

0025 (1) They shall have had filed in their behalf, not later than
0026 12:00 noon, June 10, prior to such primary election, or if such
0027 date falls on Saturday, Sunday or a holiday, then before 12:00
0028 noon of the next following day that is not a Saturday, Sunday or a
0029 holiday, nomination petitions, as provided for in this act: ~~Or,~~
0030 ~~second;~~ or

0031 (2) they shall have filed not later than the time for filing
0032 nomination petitions, as above provided, with the proper officer
0033 a declaration of intention to become a candidate, accompanied
0034 by the fee required by law.

0035 (b) Nomination petitions shall be in substantially the follow-
0036 ing form:

0037 I, the undersigned, an elector of the _____ precinct of the
0038 township of _____ (or _____ precinct
0039 of the _____ ward of _____), county of
0040 _____, and state of Kansas, and a duly registered voter,
0041 and a member of _____ party, hereby nominate
0042 _____, who resides in the township of
0043 _____ (or at number _____ on
0044 _____ street, city of _____), in the
0045 county of _____ and state of Kansas, as a candidate for the
0046 office of (here specify the office) _____, to be voted for at
0047 the primary election to be held on the first Tuesday in August in _____,
0048 as representing the principles of ~~said~~ such party; and I further declare that I

Att # 1
Election
3-3-88

0049 intend to support the candidate herein named and that I have not signed and will
 0050 not sign any nomination petition for any other person, for ~~said~~ *such* office at such
 0051 primary election.

0052

(HEADING)

0053	Name of	Street Number	Name of	Date of
0057	Signers.	or Rural Route	City.	Signing.
0061		(as registered).		

0063 (2) All nomination petitions shall have substantially the
 0064 foregoing form, written or printed at the top thereof. No signa-
 0065 ture shall be counted unless it is upon a sheet having such
 0066 written or printed form at the top thereof.

0067 (3) (c) Each signer of a nomination petition shall sign but one
 0068 such petition for the same office, and shall declare that such
 0069 person intends to support the candidate therein named, and shall
 0070 add to such person's signature and residence, if in a city, by
 0071 street and number (if any); or, otherwise by post-office address.
 0072 No signature shall be counted unless the place of residence of
 0073 the signer is clearly indicated and the date of signing given as
 0074 herein required and if ditto marks are used to indicate address
 0075 they shall be continuous and clearly made. Such sheets shall not
 0076 be cut or pasted together.

0077 (4) (d) All signers of each separate nomination petition shall
 0078 reside in the same precinct. The affidavit described in this
 0079 paragraph of a qualified elector who resides in such precinct or
 0080 of the candidate shall be appended to each petition and shall
 0081 contain, at the end of each set of documents carried by each
 0082 circulator, a verification, signed by the circulator or the candi-
 0083 date, to the effect that such circulator or the candidate personally
 0084 witnessed the signing of the petition by each person whose name
 0085 appears thereon. The person making such affidavit shall be duly
 0086 registered to vote.

0087 (5) ~~Such~~ (e) Nomination petitions shall be signed: (a)
 0088 (1) If for a state officer elected on a statewide basis (or for the
 0089 office of United States senator), by not less than 1% of the total
 0090 vote of the party designated in the state.

0091 (b) (2) If for a state or national officer elected on less than a
 0092 statewide basis, by not less than 2% of the total vote of the party
 0093 designated in such district, except that for the office of district
 0094 magistrate judge, by not less than 2% of the total vote of the party
 0095 designated in the county in which such office is to be filled.

0096 (e) (3) If for a county office, by not less than 3% of the total
0097 vote of the party designated in such district or county.

0098 ~~(d)~~ (4) If for a township office, by not less than 3% of the total
0099 vote of the party designated in such township.

0100 ~~(6)~~ The basis of a percentage *required by this subsection (e)*
0101 shall be the vote of the party for secretary of state at the last
0102 preceding election; or, in case of a new party, the basis of a
0103 percentage shall be the vote cast for the successful candidate for
0104 secretary of state at the last preceding election; ~~and,~~

0105 (f) Subject to the requirements of K.S.A. 25-202 *and amend-*
0106 *ments thereto*, any political organization filing nomination peti-
0107 tions for a majority of the state or county offices, as provided in
0108 this act, shall have a separate primary election ballot as a political
0109 party; and, upon receipt of such nomination petitions, the re-
0110 spective officers shall prepare a separate state and county ballot
0111 for such new party in their respective counties or districts thereof
0112 in the same manner as is provided for existing parties.

0113 ~~(g) Any candidate for office on whose behalf nomination~~
0114 ~~petitions are filed in accordance with law may deposit with the~~
0115 ~~officer with whom such petitions are filed, at the time such~~
0116 ~~petitions are filed, an amount equal to the fee required by K.S.A.~~
0117 ~~25-206 and amendments thereto for a person filing a declaration~~
0118 ~~of intent to become a candidate for such office. If such can-~~
0119 ~~didate's nomination papers are found to be invalid, they and the~~
0120 ~~amount deposited shall be treated as a declaration of intent to~~
0121 ~~become a candidate. If the nomination papers are found to be~~
0122 ~~valid, the amount deposited shall be refunded to the candidate.~~

0123 Sec. 2. K.S.A. 25-205 is hereby repealed.

0124 Sec. 3. This act shall take effect and be in force from and
0125 after its publication in the Kansas register.

(g) Any candidate who shall have had filed on their behalf a nomination petition pursuant to this section which is found to be invalid shall be notified by restricted mail, return receipt requested, at the address set forth in the petition or other acceptable mailing address if known, that the petition has been found to be invalid and that such candidate may submit an amount equal to the fee required by K.S.A. 25-206 and amendments thereto. If a candidate submits such fee by certified check, money order or cashiers check within 7 days of the date of mailing of the notice, then the nomination papers filed shall be treated as a declaration of intent to become a candidate.

March 3, 1988

The following County Clerks called yesterday asking that SB 500
be considered favorable in this committee

Shirley Mackender, County Clerk, Clay County
Larry Scheller, County Clerk, Leavenworth
Bonnie Parcel, County Clerk, Comanche County, Coldwater
County Clerk from Thomas County, Colby, Ks.
Bea Coates, Edwards County Clerk
Darlene Riggs, Graham Cou., Vice President, Co. Clerks' Association
Peggy McCullick, Ellis County Clerk, Hays

Dottie, Committee Secretary

ATT # 2
E. Lockman
3-3-88