

Approved 2-17-88
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by Senator Gordon at
Chairperson

1:30 ~~am~~/p.m. on February 10, 1988 in room 522-S of the Capitol.

All members were present except:

Senator Hoferer and Senator Martin were excused.

Committee staff present:

Myrta Anderson, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Phil Lowe, Committee Secretary

Conferees appearing before the committee:

Ron Thornburgh, Secretary of State's office
Douglas Merritt, Atchison, Libertarian Party
Pete McGill, Topeka
Ron Hein, Topeka
Bea Coats, Kinsley, Edwards County Clerk
Ann Koehn, Cimarron, Gray County Clerk
Peggy McCullick, Hays, Ellis County Clerk
Joanne Mitchell, Shawnee County Election Officer

The minutes of February 4, 1988, were approved by motion of Senator Strick and second by Senator Bond.

The Chairman announced we would continue the hearing on SB 540 which relates to the registration of lobbyists.

Mr. Pete McGill made a brief statement saying his testimony at the last meeting covered all aspects of the bill, but since then has talked to leaders of both parties of the House and Senate and they all agreed that they have no problems with the present law as it is now written.

Mr. Ron Hein in his testimony remarked he would rather not have the criminal penalty and would recommend striking it in Section 3. He also stated it was a hassle to have to carry around several badges and to switch badges every few minutes when talking to legislators. In regard to the time when a lobbyist should register, Mr. Hein thought it would be extremely helpful to register early in the year and would recommend changing the word "in" to "for" in line 47 on page 2. Mr. Hein also discussed when the registration of the lobbyist should require the name and address of the person compensating the lobbyist for lobbying, and the purpose of the employment and the method of determining and computing the compensation of the lobbyist. He stated this should not be a matter on a public basis.

The Chairman directed the committee's attention to SB 500 which relates to voter registration and several county clerks were in attendance to voice their opinion regarding the mailing of notices and how it affects their budgets.

Ron Thornburgh, Secretary of State's office, distributed copies of a balloon printout of SB 500 (Attachment 1) which they had hastily drafted at the request of some of the election clerks in attendance.

Senator Norvell introduced the county clerk, Bea Coats from Edwards County who briefly commented that their main objective was to reach

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Elections,
room 522-S, Statehouse, at 1:30 ~~xxx~~ p.m. on February 10, 19 88

the voter and to get as many new registrations as possible. Also, when a voter moves they wish to inform him that he has to reregister in order to be able to vote at the next election.

Other county clerks and election officers commenting briefly in support of the balloon draft of SB 500 were: Peggy McCullick, Ellis County Clerk; Ann Koehn, Gray County Clerk; Joanne Mitchell, Shawnee County Election Officer and Mary Harper from Scott City.

The Chairman pointed out that at the hearing on SB 500 last week it was discussed that a county clerk could play politics and send notices of reregistration to one party and not the other and would this be a problem with the bill as now drafted. The answer was that the wording was changed by striking the word "may" to "shall" which now makes it mandatory instead of presmissive.

Mr. Douglas Merritt from Atchison representing the Libertarian Party distributed copies of a letter (Attachment 2) regarding SB 46.

The Chairman announced that the committee would consider SB500 for final action at tomorrow's meeting and also final consideration of SB 46. Next Wednesday's meeting will be held for the consideration and hearing on SB 582, presidential preference elections.

The meeting was adjourned.

GUEST LIST

COMMITTEE: Senate Elections

DATE: Feb. 10, 1988

NAME	ADDRESS	ORGANIZATION
Mary Karger	Scott City	former
John Hanna	Topeka	AP
Douglas Merritt	Atchison	None
Margaret Merritt	Atchison	None
Peggy McCulloch	Ways	Ellis County clerk
Donetta M. Robben	Ways	Deputy County Clerk
Ken & Thornburg L	Topeka	SOB
Gale McGill	Topeka	Pete McGill Assoc
Amela McGill	"	"
Walter Zamun	Topeka	Pete McGill Assoc
Barbara Snider	Topeka	Pete McGill Assoc
Ann Kaehn	Lawrence	Deuy Co. Clerk
Bea Coats	Minley	Edwards Co. Clerk
DEVUS PRATOR	LAWRENCE	KPDC
Ron Hein	Topeka	Carpenter, Heim, Carpenter, & Wom. Ctcl
C Williams	Topeka	KPDC
Jana Atchison	Lepka	KPDC
Earl Nehring	Topeka	Common Cause /KS
Margie Braden	Clay Center	
M. Hauver	Topeka	Cap. Journal

SENATE BILL No. 500

By Committee on Elections

1-21

Attach 1

0016 AN ACT concerning elections; relating to voter registration;
0017 amending K.S.A. 25-2309c and repealing the existing section.

0018 *Be it enacted by the Legislature of the State of Kansas:*

0019 Section 1. K.S.A. 25-2309c is hereby amended to read as
0020 follows: 25-2309c. (a) ~~Except as provided by subsection (c),~~
0021 whenever any notice or other official mailing is required to be
0022 mailed to a registered voter at the place of residence specified in
0023 the registration books, such notice shall be addressed to the
0024 current mailing address of that voter as it appears in the regis-
0025 tration records and shall be sent by nonforwardable first class
0026 mail.

0027 (b) ~~Whenever any notice or other official mailing is required~~
0028 ~~to be mailed to a registered voter and such notice or mailing is~~
0029 ~~returned as undeliverable, the county election officer may re-~~
0030 ~~move the name of such person from the registration books and~~
0031 ~~the party affiliation lists.~~

0032 (c) ~~Whenever a voter's name has been removed from the~~
0033 ~~registration books and party affiliation lists, the county election~~
0034 ~~officer may send, by first class mail, a notification of removal,~~
0035 ~~along with voter registration information or material to such~~
0036 ~~person. If such person has moved to another county, the county~~
0037 ~~election officer may notify the county election officer of the~~
0038 ~~county where such person currently resides that such person is a~~
0039 ~~new resident of the county.~~

0040 ~~Sec. 2.~~ K.S.A. 25-2309c is hereby repealed.

0041 ~~Sec. 3.~~ This act shall take effect and be in force from and
0042 after its publication in ~~the statute book.~~
Kansas Register.

Unless otherwise specifically provided.

If such a mailing is returned by the post office as undeliverable and the voter is still a resident of the State of Kansas, the county election officer shall send by forwardable first class mail a notice, to be prescribed by the secretary of state, which shall include voter registration materials if the voter is still a resident of the county of the original registration.

25-3702. Affidavits to obtain ballots hereunder. Any such former precinct resident offering to vote in the precinct of his

former residence, before receiving a ballot shall make an affidavit in writing on a form to be prescribed by the secretary of state, sworn or affirmed before one of the election judges, stating the address or location of his former residence, the date of his removal therefrom, the address or location of his new residence, and that he has not voted at such election. Such affidavit shall be delivered to the election judges and transmitted to the county election officer with the election returns and supplies.

Upon receipt of an affidavit of former precinct residence, the county election officer shall send to the current address specified on the affidavit, by forwardable first class mail, a notice to be prescribed by the secretary of state, which shall include voter registration materials if the voter is still a resident of the county of the original registration, that it is necessary to re-register if the residence of the voter has changed.

25-2316c. Registration voided, when; removal of names from registration books. (a) When a registered voter changes name by marriage, divorce or legal proceeding, such voter must re-register in order to be eligible to vote, except that when a registered voter legally changes name during the period of 30 days preceding an election, such voter shall be allowed to vote at such election on the condition that such voter first gives an affidavit to the election judges stating the facts relevant to such change of name.

Upon receipt of an affidavit of change of name, the county election officer shall send to the address specified on the affidavit, by forwardable first class mail, a notice to be prescribed by the secretary of state, which shall include voter registration materials if the voter is still a resident of the county of the original registration, that it is necessary to re-register if the name of the voter has changed.

LIBERTARIAN PARTY OF KANSAS

DOUGLAS N. MERRITT, CHAIRPERSON

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WICHITA

Sen. Francis Gordon
128-S
State Capitol Building
Topeka, Kansas 66612

Feb. 5, 1988

REGARDS: SENATE BILL 46

Dear Senator Gordon;

Kindly allow me one last word on small party ballot access in Kansas. One would think that I had said all that I could in the past year and I will be the first to admit you have been more than kind in listening to my attempts. I thank you.

Three points:


I. There is no problem in SB 46 about the signature solicitor being confined to his county as there was in SB 501. 501 concerned single citizens exercising an individual right to petition. In SB 46 the subject matter is party recognition which by definition requires a multiple effort of several people banded together in the petitioning effort. In SB 46 the county limitation is not prohibitive nor even particularly onerous.

II. To be effective in the election of 1988 the statute must be "in effect upon publication". When the bill was introduced last year urgency was not a problem; this year it is.

III. Time of passage is critical in this bill. Under present law, 17,000 petitions must be filed 60 days prior to June 10, that is, on April 10. If 60 days is sufficient lead time for the secretary to process 17,000 signatures perhaps 30 days would be enough time to for him to authenticate 1,000 signatures. Assuming passage of the bill by the end of March and a shortening of the lead time by half the small parties would then have 40 days until May 10, which is sufficient time, to gather the names.

Thank you for hearing me.

Sincerely


Douglas N. Merritt
Chair, Libertarian Party of Kansas

Attachment 2
Senate Elections Committee
February 10, 1988