

Approved _____
Date 2/18/89

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Kenneth King at
Chairperson

9:02 a.m./p.m./on Tuesday, February 21, 1989 in room 521-S of the Capitol.

All members were present except:

Committee staff present:

Myrta Anderson, Legislative Research Department
Fred Carman, Revisor of Statues Office
Ron Thornburgh, Office of Secretary of State
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Harriett Lange, Kansas Association of Broadcasters
George Logan, General Manager, WIBW TV
John Reinhart, Office of Secretary of State
Ron Thornburgh, Office of Secretary of State
Representative Anthony Hensley

Chairman Kenneth R. King called the Election Committee to order at 9:02 a.m.

Myrta Anderson, Legislative Research, explained the content of HB 2418.

The Chair called on Harriett Lang, Kansas Association of Broadcasters, who in turn introduced George Logan, General Manager of WIBW TV. He presented testimony in support of HB 2418. (Attachment I) He also shared a tape and video with some examples of how this bill would heighten the awareness of the public to the issues that would be on the ballot.

John Reinhart from the Office of the Secretary of State next appeared before the committee in support of HB 2418. He stated Secretary of State Bill Graves recommended favorable passage of the bill, believing that the broadcast of legal advertising is a supplement to the publication of legal advertising in newspapers. (Attachment II)

Discussion followed as to what the cost of this would be, whether this provision was not already provided for by law, who would decide what notices would be shown and where, and who would have the final approval of the content.

The Chair next called on Representative Hensley who spoke concerning HB 2129. This bill would allow registration of voters by candidates acting as a deputy. Representative Hensley stated that now there are two ways in which to register:

- 1) to call and request a registration card be sent to you
- 2) fill out a post card and mail it in requesting a registration card.

His bill would cut through the middle process, allowing candidates who go door-to-door to register voters at the time of the visit.

The Chair provided a copy of a letter from Jean Barber, Allen County Clerk/Election Office, who is also the chairman of the County Clerks Election Committee. Speaking for the other county election officers in her capacity as chairman, she reports they are united in opposition of HB 2129 and urges the committee report this bill adversely. (Attachment III)

Unless specifically noted, all individuals mentioned herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections

room 521-S Statehouse, at 9:02 a.m./p.m./on Tuesday, February 21, 1989.

Ron Thornburgh, from the Secretary of State's Office, spoke in opposition to HB 2129. He stated the position that this legislation does not fit into current law and that it is easy now for anyone to register if they so desire. The Office of the Secretary of State does not feel this is good legislation.

There was discussion as to whether this would be subject to not registering people of the opposing party, duplication of registration by several candidates, unfair to the handicapped who are unable to go door-to-door campaigning and if the county clerks would deputize all candidates who request or if, at their discretion, not deputize all candidates.

HB 2393 was next on the agenda. Ron Thornburgh, Office of the Secretary of State, presented testimony on this bill which concerns candidates filing for office, nominating petitions and retention of judges. (Attachment IV)

The minutes of the meeting of the Election Committee on February 14th were presented for approval. Representative Dillon pointed out the date was the 21st instead of the 20th as listed for the next meeting. With this change made Representative Lucas moved the minutes be approved. Seconded by Representative Dillon. The motion carried.

The meeting adjourned at 10:02 a.m.

The next meeting of the Election Committee will be held on Thursday, February 23rd, 9:00 a.m. in Room 521-S.

TESTIMONY
Before the House Elections Committee
February 21, 1989

By
George Logan, General Manager, WIBW TV
State Government Relations Chairman
Kansas Association of Broadcasters

RE: HB 2418

I am George Logan, general manager of WIBW TV, Topeka and state government relations chairman for the Kansas Association of Broadcasters (KAB). The KAB is a state trade association representing 110 radio stations and 20 television stations in Kansas.

We appreciate the opportunity to appear before you in support of HB 2418 concerning the use of radio and television for supplemental notices.

The purpose of official notices is to acquaint the largest number of residents possible about matters of public importance. We believe that enactment of HB 2418 will enhance that endeavor.

The intent of HB 2418 is to update the current legal notice system by recognizing that the broadcast media is a major source of information for most Kansans and is an effective tool for educating and informing the electorate of important local and state issues.

We are not suggesting that notices be read verbatim as they appear in the newspaper. However, we are suggesting that radio and television should be used to heighten awareness about matters before public bodies. Following my remarks we will preview a couple of radio and television announcements to show how our medium might be used.

HB 2418, if enacted would:

- 1) Allow any public official to supplement their official newspaper notices with broadcast, if they feel it would be in the public interest. And
- 2) HB 2418 would require the Secretary of State to supplement

Attachment I

newspaper notice of constitutional amendment elections, with broadcast, during the week prior to the election.

- 3) The bill states that only the time, place and nature of the notice may be included in the broadcast announcement, so these announcements could not be used by any candidate for political gain.
- 4) Stations would be required to keep a copy or transcript of the notice for public inspection for a period of six months; and proof of performance by affidavit would be required.

Radio and television stations in Kansas reach virtually every man, woman and child in the state on a daily basis. It seems logical to us that our media be used as a supplement to newspapers, in informing the public and increasing awareness of important local and state issues.

Now, with your permission Mr. Chairman, we would like to take a few minutes to show you how radio and television could be used, by playing for you a few prospective announcements.

Harriet Lange and I will be happy to respond to questions. Thank you for your consideration.

Bill Graves
Secretary of State



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

STATE OF KANSAS

HOUSE ELECTIONS COMMITTEE
H.B. 2418

Testimony of
John Reinhart
Office of the Secretary of State
February 21, 1989

Secretary of State Bill Graves recommends favorable passage of House Bill 2418.

By permitting legal advertisements on radio and television, the legislature is recognizing the pervasive influence of these media on our society. Secretary Graves believes that House Bill 2418 is a step toward a better informed electorate.

We do believe that the broadcast of legal advertising should be a supplement to the publication of legal advertising in newspapers.

Attachment II

COUNTY OF ALLEN

Courthouse

IOLA, KANSAS 66749

Office of: ALLEN COUNTY CLERK

(316) 365-7491

February 17, 1989

Rep. Kenneth R. King
Chairman, Elections Committee
State Capitol Building, Room 180W
Topeka, KS 66612

Re: HOUSE BILL No. 2129

Dear Rep. King:

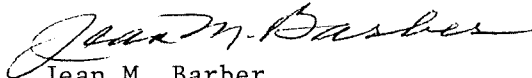
As chairman of the County Clerk's Election Committee, I would share with you our concerns of the proposed legislation.

House Bill No. 2129 proposes that a candidate for elective office following the filing deadline may be deputized to serve as a deputy county election officer for the purpose of registration of voters only. I would point out to you that this provision now exists. A county election officer may deputize individuals for the purpose of accepting voter registrations. This provision is carried in K.S.A. 25-2303(c).

The concern of the County Clerk's Association is that the wording in this proposed legislation might be construed to indicate that the candidate for elective office would be authorized to go door-to-door while campaigning and register people to vote. At this point, the county election officer would lose all control of the registration process. We are united in our opposition to this prospect.

We would respectfully urge that your committee report this bill adversely.

Very truly yours,



Jean M. Barber
ALLEN COUNTY CLERK/ELECTION OFFICER

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Attachment III

Bill Graves
Secretary of State



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

STATE OF KANSAS

Testimony of Ron Thornburgh
House Elections Committee
February 21, 1989

HB 2393

Thank you Mr. Chairman and members of the committee.

The Secretary of State's office asked for introduction of HB 2393 in order to clean up several items in the statutes regarding filing for public office.

1. HB 2393 requires all retention judges to file for retention no later than the day before the primary election. Currently, they do not have to file until 60 days prior to the general election, causing delays in ballot preparation and distribution.
2. HB 2393 prohibits filing for office both as a partisan candidate for the primary election and again as an independent candidate for the general election. Several potential candidates have inquired about this procedure as a way of guaranteeing ballot status for the general election.
3. HB 2393 gives the Secretary of State authority to prescribe the form for declarations of intention to become a candidate. Several of the statutory forms currently in use are inconsistent thereby causing some confusion.
4. Lastly, HB 2393 requires the Secretary of State to send a copy of all candidate petitions filed in the office to the county election officer of the county in which the petitions were circulated. This will allow for more precise verification of petitions by our office.

I ask for your support on HB 2393 and that you recommend it favorably for passage.

Attachment IV