

Approved 3/28/89
Date

MINUTES OF THE House COMMITTEE ON Elections

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

9:07 a.m./p.m./on Thursday, March 23rd, 1989 in room 521-S of the Capitol.

All members were present except: Representative Carol Sader, excused

Committee staff present:

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

Conferees appearing before the committee:

Ron Thornburgh, Office of the Secretary of State
Rita Noll, Office of the Attorney General

The House Election Committee was called to order at 9:07 a.m. by Representative Kenneth R. King on Thursday, March 23rd, 1989.

The first order of business for the day was a hearing on SB 294. Ron Thornburgh, Office of the Secretary of State, presented written testimony in support of this bill. SB 294 was requested by Senator Montgomery, the Office of the Attorney General and the office of the Secretary of State. He spoke on the part of the bill requested by the Office of the Secretary of State concerning vacancies. (Attachment I).

The next conferee to appear before the committee was Rita Noll who was appearing on behalf of Attorney General Stephan. She presented written testimony that pertained to those amendments requested by the Attorney General concerning when a convention could be held to fill a vacancy. (Attachment II).

There were no other conferees to appear regarding SB 294 and the chair closed hearings on this bill.

Hearings were also held on SB 112, SB 117, SB 307, and SB 247. Ron Thornburgh, Office of the Secretary of State, was the only conferee to appear before the committee in regard to each of these bills. He presented written testimony in support of these bills and gave a brief summary of the intent of the bill.

SB 112 was introduced to clean up several inadequacies of Kansas' Voter Registration laws and was requested by the Office of the Secretary of State. (Attachment III).

Following the explanation and questions by the committee the Chair closed hearings on SB 112.

The Office of the Secretary of State introduced SB 117 to clarify the petition requirements for petitions statutorily filed in the office of the Secretary of State. (Attachment IV).

Following questions from the committee the Chair closed hearings on SB 117.

SB 307 was a bill designed to clean up language regarding nomination petitions and declarations of intention to become a candidate, changing the term "nomination papers" to "nomination petitions" and changing "declarations of intent" to "declarations of intention". (Attachment V). There was no discussion and the chair closed hearings on SB 307.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S Statehouse, at 9:07 a.m./p.m./ on Thursday, March 23rd, 1989

The office of the Secretary of State asked for the introduction of SB 247 to allow the re-organization of district committees of each political party to be based on the last primary election at which a statewide office was elected. (Attachment VI).

Hearings were closed on SB 247 following the presentation and question period.

The Chair then opened the floor for discussion by the committee on previously heard bills.

SB 294 was the first bill to be presented to the committee for discussion. Ron Thornburgh was again called on by the Chair to briefly explain the bill. There were some questions from the floor and further discussion regarding limiting a county chairman to a ten day period in which to fill vacancies. There being no further discussion on SB 294 the chair moved on to the next bill.

SB 112 was next opened for discussion by the Chair. Ron Thornburgh explained this bill had 3 sections:

- 1) it gives the Secretary of State and his deputies the authority to register voters.
- 2) when a voters name is purged from the voter registration list it is also purged from the voter affiliation list
- 3) it changes the dates in which a county election officer must report voter registration numbers to the Secretary of State's office.

There was discussion from the committee and clarification of some of the sections of the bill by Ron Thornburgh. Following discussion the chair closed the discussion on SB 112.

Ron Thornburgh then explained briefly SB 117 which makes Article 36 of Chapter 25 applicable to state petitions as well as local petitions and it extends the amount of time the Secretary of State's office has to verify petitions. There was no discussion on this bill.

SB 307 is a clean up bill with two changes in wording. SB 247 states a party's district committee may organize based on the number from a previous state wide election if no primary election was conducted in the year in which they are reorganizing. There was no discussion on these two bills.

Two bills heard on March 14th, SB 111 and SB 248 were then presented to the committee for discussion. Ron Thornburgh went over the two bills briefly for the committee. There was brief discussion by the committee.

The Chair announced that at the next meeting of the Election Committee, which will be Tuesday, March 28th, 1989, there will be final action on the previously heard bills as well as SB 1.

The minutes of the meeting on Tuesday, March 21st were presented for approval. Representative Empson made a motion the minutes be accepted as presented. Representative Wilbert seconded and the motion carried.

The meeting adjourned at 10:00 a.m.

GUEST LIST

COMMITTEE: Election DATE: Thursday, March 23

NAME (PLEASE PRINT) ADDRESS COMPANY/ORGANIZATION

Rita Noll		Atty General
Ken Thornburgh	Topex K9	SO-S
Michael Wolf	"	Common Cause

Bill Graves
Secretary of State



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STATE OF KANSAS

Testimony of Ron Thornburgh
March 23, 1989

SB 294

Thank you Mr. Chairman and members of the committee.

SB 294 is a conglomeration of bill requests by Senator Montgomery, the office of the Attorney General, and the office of the Secretary of State. All requests are valid, and we encourage their passage.

Section 6 of the bill pertains to the request made by the office of the Secretary of State. We are asking that any time a convention is to be called to fill a vacancy, that the chairman be required to call the meeting within 10 days of receipt of the notice.

In the last election, we had several candidates withdraw following the primary election, thus leaving us without a candidate in that position until the committee made the appointment. Because several committees were very hesitant to fill vacancies, we were unable to print ballots or proceed with the election preparations.

In order to correct this problem and several others addressed by SB 294, I urge your favorable approval of this bill.

Thank you.

Attachment I



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL

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House Committee on Elections
Senate Bill No. 294

Testimony Presented By
Rita L. Noll
Assistant Attorney General
March 23, 1989

Mr. Chairman and Members of the Committee:

On behalf of Attorney General Stephan, I am here today to testify in favor of Senate Bill No. 294. I will discuss only those amendments to the election statutes requested by the Attorney General, though we do support all the proposed changes requested by Senator Montgomery and the Secretary of State.

Kansas law provides that vacancies in district offices, including elected county offices, state representative, and state senator, are filled by convention of the county central political committee. K.S.A. 25-3901 et seq.

The Attorney General is of the opinion that, as the Kansas statutes currently read, a county central political committee convention cannot be held to fill a vacancy until a vacancy actually exists. Many times it is known weeks or months in advance that a vacancy will occur on a certain date. The fact

Attachment II

that a convention to fill the vacancy cannot be held until the vacancy actually exists causes problems for local government in many cases. For example, delay in appointing a successor to an office hinders

the transition and flow of operations in county offices.

Problems caused by such delays are especially prevalent and noticeable in the office of county attorney.

Senate Bill No. 294 amends election statutes and makes it clear in new section 11 that a party convention may be held to fill a vacancy before the vacancy actually occurs. The convention's selection to fill the vacant office, which is subsequently approved by the governor, would not become effective until the actual date of the vacancy.

Bill Graves
Secretary of State



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STATE OF KANSAS

TESTIMONY OF RON E. THORNBURGH
MARCH 23, 1989

SB 112

Thank You Mr. Chairman, member of the committee.

Our office asked for the introduction of SB 112 to clean up several inadequacies of Kansas' Voter Registration laws.

First we ask that the Secretary of State and his appointed Deputies be allowed to register voters on a statewide basis. Currently, the Secretary of State, as the chief election officer of the state of Kansas, may not register voters unless he is first deputized by a county election officer. Because our office has recently embarked on an aggressive voter registration campaign, including registering voters at the state fair, and enlisting the help of Hallmark Cards and Southwestern Bell Telephone, we believe giving the Secretary of State authority to register voters is a vital step in furthering voter registration in the state of Kansas.

Secondly, we ask that when a voter is removed from the voter registration list, that the name also be removed from the voter affiliation list. This is simply meant to clean up legislation from last year.

Lastly, we are asking for a change in the time that the county election officers must provide our office with voter registration records. By having the county election officers provide this information after the books have closed 20 days prior to the primary and general elections, we will have much better voter registration figures. In addition we are asking that the same records be sent to our office one time in off election years.

In closing, I ask for your support for SB 112 and that you recommend it favorably for passage.

Thank you.

Attachment III

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STATE OF KANSAS

TESTIMONY OF RON THORNBURGH
HOUSE ELECTIONS COMMITTEE
MARCH 23, 1989

SB 117

Our office asked for the introduction of SB 117 to clarify the petition requirements for petitions statutorily filed in the office of the secretary of state.

Currently, article 36 of K.S.A. chapter 25, which gives the requirements for a valid petition, is only applicable to county, city, school district and municipality elections. We are asking that these statutes also be applied to all petitions filed with our office.

Section 2 of the bill extends the amount of time in which we may verify a petition filed in our office. Currently, we only have 3 days to verify a petitions, which is not enough time to send the document to the county in which the petition was circulated for signature verification.

I ask that you report SB 117 favorable for passage.

Thank you.

Attachment IV

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Secretary of State



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STATE OF KANSAS

Testimony of Ron Thornburgh
House Elections Committee
March 23, 1989

SB 307

Thank you Mr. Chairman and members of the committee.

SB 307 is simply a bill designed to clean up language regarding nomination petitions and declarations of intention to become a candidate.

The bill only changes the term "nomination papers" to "nomination petitions" and changes "declarations of intent" to "declarations of intention".

I ask that you recommend SB 307 favorably for passage with the proposed amendment.

Thank you.

Attachment IV

Bill Graves
Secretary of State



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STATE OF KANSAS

Testimony of Ron Thornburgh
House Elections Committee
March 23, 1989

SB 247

The office of the Secretary of State asked for the introduction of SB 247 to simply clarify a problem that occurred last year.

Pursuant to K.S.A. 25-3803, the district committee of each political party must reorganize following each primary election. This reorganization is based on the total vote for a statewide office in the preceding primary election. In 1988, since there were no statewide offices up for election, the district committees had no way to reorganize in compliance with the letter of the law.

SB 247 simply allows the reorganization to be based on the last primary election at which a statewide office was elected.

In order to correct this problem, I ask that you report SB 247 favorably for passage.

Thank you.

Attachment VI