

Approved 1-23-90
Date

MINUTES OF THE House COMMITTEE ON Elections

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

11:00 a.m./p.m. on Tuesday, January 9, 1990 in room 521-S of the Capitol.

All members were present except:

Committee staff present: Pat Mah, Research
Arden Ensley, Revisor
Ellie Luthye, Secretary

Conferees appearing before the committee:

Ron Thornburgh, Office of the Secretary of State

The House Election Committee was called to order by Chairman Kenneth R. King on Tuesday, January 9th, 1990 at 11:00 a.m.

Chairman King introduced the committee staff, Pat Mah from Research, Arden Ensley, Revisor, and Ellie Luthye, Committee Secretary.

The order of business for the day was discussion and possible final action on HB 2608, an act relating to elections; concerning nomination petitions; amending K.S.A. 1989 Supp. 25-205 and 25-303 and repealing the existing sections.

The Chairman opened HB 2608 for discussion and Ron Thornburgh, from the Office of the Secretary of State, appeared before the committee to explain the bill and recommended an amendment. (Attachment I)

Arden Ensley, Revisor, next appeared before the committee with the amendment. (Attachment II)

After discussion by the committee, Representative Shallenberger made a motion to amend ballot rotation into the bill as recommended. Representative Lucas seconded and the motion carried.

Representative Sawyer made a motion that the percentage be changed from 5% to 4% of qualified voters' signatures needed by independent candidates to file by petition. This was seconded by Representative Sader. The motion carried.

Chairman King advised the committee that it was not now a normal procedure, nor would it become one, for the Committee to pass a bill out the same day hearings are held, or to pass a bill out without it being on the agenda, but since HB 2608 had some urgency to it, if there were no objections, final action would be taken. If there were objections, a meeting would be scheduled for Wednesday, January 10th, 1990.

As there were no objections, Representative Foster made a motion that HB 2608 be passed out of committee as amended. This was seconded by Representative Shallenberger. The motion carried.

The Chairman advised the Committee the previously scheduled meeting for Wednesday, January 10th had been cancelled. The meeting adjourned at 11:35 a.m.

Bill Graves
Secretary of State



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

STATE OF KANSAS

House Elections Committee
Nomination Petition Reform
January 9, 1990

Testimony of Ron Thornburgh
Office of the Secretary of State

Thank you Mr. Chairman and members of the committee.

As you know, in the last session, all House of Representative Districts were reapportioned. Because of this reapportionment, coupled with the Federal Census Block Boundary Project, our office is unable to compile the number of signatures necessary to file nomination petitions.

Currently, K.S.A. 25-205 states that all petitions are to contain signatures equal to 2% of the number of votes cast within a district in the last General election for the office of Secretary of State. However, because the Block Boundary Project changed hundreds of precincts throughout the state, we do not have a common building block upon which to obtain the number of votes cast in previous elections in each new precinct in the state.

The proposal before you simply bases the number of signatures on 2% of the most recent voter registration numbers on file with the office of the Secretary of State. In addition to being the logical basis for such petitions, this change allows our office to use a more recent set of numbers for our tabulation of the requisite number of signatures for nomination petitions.

In addition to the problem stated above, reapportionment of the legislative districts has caused another problem. K.S.A. 25-610 states that the rotation of the ballot shall be based on the number of votes cast within a district for the office of Governor or President at the last General election.

This proposal again asks that the basis for this number be changed to reflect the number of registered voters in each district as compiled by the office of the Secretary of State.

Attachment I

Elections - 1-9-90

HOUSE ELECTIONS COMMITTEE
 HB 2608
 January 9, 1990

STATE WIDE	Republican	Democrat	Independent
Current	4,275	3,795	2,500
Proposed	4,634	3,240	2,500

CONGRESSIONAL RACES

1st District:			
Current	2,204	1,424	9,068
Proposed	2,266	1,268	12,285
2nd District:			
Current	1,459	1,605	7,658
Proposed	1,678	1,110	9,906
3rd District:			
Current	1,548	1,286	7,083
Proposed	1,724	1,329	11,067
4th District:			
Current	1,678	1,561	8,094
Proposed	1,652	1,476	10,876
5th District:			
Current	1,663	1,557	8,046
Proposed	1,951	1,299	11,000

HOUSE OF REPRESENTATIVES

District 1:			
Current	43	61	257
Proposed	49	64	428
District 3:			
Current	47	54	249
Proposed	59	52	407
District 8:			
Current	52	35	215
Proposed	98	40	424

District 22:			
Current	71	47	293
Proposed	72	31	386
District 32:			
Current	19	25	109
Proposed	19	41	211
District 35:			
Current	17	47	157
Proposed	14	89	339
District 36:			
Current	31	58	220
Proposed	26	86	375
District 49:			
Current	64	44	269
Proposed	92	33	431
District 52:			
Current	75	83	393
Proposed	85	45	431
District 65:			
Current	39	39	193
Proposed	47	46	305
District 77:			
Current	70	68	343
Proposed	68	59	503
District 82:			
Current	68	58	311
Proposed	71	57	464
District 85:			
Current	106	75	450
Proposed	114	62	602
District 86:			
Current	78	48	313
Proposed	92	46	435
District 95:			
Current	47	53	249
Proposed	41	60	359

SENATORIAL

District 1:			
Current	199	183	953
Proposed	256	141	1,368
District 3:			
Current	158	176	832
Proposed	148	138	1,123
District 8:			
Current	253	158	1,024
Proposed	293	112	1,509
District 13:			
Current	141	197	845
Proposed	169	205	1,326
District 14:			
Current	176	195	926
Proposed	199	173	1,344
District 30:			
Current	263	184	1,114
Proposed	288	167	1,497
District 32:			
Current	184	210	985
Proposed	243	188	1,344
District 33:			
Current	238	189	1,064
Proposed	252	151	1,438
District 36:			
Current	293	138	1,075
Proposed	321	125	1,461

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Elections

Recommends that House Bill No. 2608

"AN ACT relating to elections; concerning nomination petitions; amending K.S.A. 1989 Supp. 25-205 and 25-303 and repealing the existing sections."

Be amended:

On page 4, following line 18, by inserting the following:

"Sec. 3. K.S.A. 25-610 is hereby amended to read as follows:
 25-610. The secretary of state shall furnish to each county election officer forms for ballots in their respective counties. The secretary of state shall prepare a rotation of the different candidates appearing on the official general ballot for the national and state offices for each such office. Such rotation shall be developed and arranged so that each candidate shall have an equal opportunity as near as practicable for the respective offices to which they are nominated. In case there is more than one candidate for any national or state office, the secretary of state shall divide the state or part thereof, into as many divisions as there are names to go on the ballot for each particular office. In making such division the secretary of state shall divide, in regular order, the alphabetical list of counties into the required number of divisions, in such a manner that all divisions are as nearly equal as convenient in the number of votes---cast---for---all---gubernatorial---candidates---or---for---all presidential---candidates, whichever the case may be, at the last general---election registered voters in such division as compiled by the office of the secretary of state. The secretary of state, in certifying the list of names of candidates to the county election officers, shall assign, in regular order from the

alphabetical list of candidates for each office, the ballot position for each candidate in such a manner that every candidate for any office shall occupy a different ballot position in each division. When, in the case of candidates for national or state offices elected on less than a statewide basis, the secretary of state finds it impossible to make a division which allows each such candidate in any given district an equitable or fair opportunity to have such candidate's name first on the ballot in the respective counties of the district, the secretary of state shall order the county election officers in the various counties of the district to rotate the names of the candidates for such district offices according to precinct to obtain an equitable division. The names of candidates for the same office but for different terms of service therein shall be arranged in groups according to the length of their respective terms.

In the case of the governor and lieutenant governor running together, when the word "candidate" is used in this section, it shall mean pair of candidates.";

On page 4 in line 19, by striking "Sec. 3." and inserting "Sec. 4. K.S.A. 25-610 and"; in lines 21, by renumbering section 4 as section 5;

In the title, in line 12, after the word "petitions" by inserting "; concerning the names of candidates upon ballots"; in line 13, after "amending" by inserting "K.S.A. 25-610 and";

And the bill be passed as amended.

Chairperson