

Approved 2-5-90
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by SENATOR DON SALLEE at
Chairperson

1:30 ~~am~~/p.m. on January 30, 19 90 in room 529-S of the Capitol.

All members were present except:

Senator Richard Rock - Excused

Committee staff present:

Pat Mah, Legislative Research Department
Ardan Ensley, Revisor of Statutes Office
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Ron Thornburgh, Office of Secretary of State
Bill Earnest, Libertarian

Others Attending: see attached list

Chairman Sallee called the meeting to order at 1:30 p.m.

Hearings were held on SB-59 during the 1989 legislative session. Ron Thornburgh presented a balloon of SB-59 showing suggested changes. He explained to committee members that the changes focus on third party requirements of the state and noted the proposed amendment meets state standards and sets the required numbers for third parties at a reachable level. The petition process would require signatures totaling 1 percent of the total vote cast for all candidates in the last preceding election. The previous requirement was 2 percent. To remain on the ballot they must receive 1 percent of total votes cast in the election. Mr. Thornburgh told the committee the change was deemed necessary since there has not been a single application for third party recognition since 1982 (Attachment 1)

Bill Earnest, Libertarian Party, spoke in support of SB-59 as well as the proposed amendment.

Senator Phil Martin moved to accept the amendment. Senator Lee seconded the motion and the motion carried.

The subcommittee report amending SB-417 was presented to the Committee by Senator Bond, chairman of the subcommittee noting recommendation of the report. (Attachment 2)

Senator Martin moved, with a second from Senator Fred Kerr, adoption of the subcommittee report. The motion carried. Senator Johnston requested his NAY vote be recorded.

Senator Johnston moved, with a second from Senator Fred Kerr, to recommend SB-417 as amended favorable for passage. The motion carried.

It was suggested consideration should be given to the statutes regulating political parties which were passed during the 1989 legislative session and which the Attorney General has advised are probably unconstitutional following the findings of the United States Supreme Court dealing with similar California statutes. The motion was made by Senator Fred Kerr, seconded by Senator Lee, to request a bill repealing statutes that are directly applicable to the California case. The motion carried.

The meeting adjourned at 1:50 p.m.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE January 30, 1990

(PLEASE PRINT)

NAME AND ADDRESS

ORGANIZATION

MIKE HELVEY
Michael Wolf
Ron Thornburgh
Bill D. Earnest
Mark Kirk
Cowl Williamson
Jana Atkinson

REP. KLIVE'S STAFF
Common Cause
SOS
Kansas Libertarian Party
KANSAS LIBERTARIAN PARTY
KPDC
KPDC

SENATE BILL No. 59

By Senator Sallee

1-20

Senate Elections
1-30-90
Attachment 1

15 AN ACT concerning elections; relating to recognition of political
16 parties; amending K.S.A. 25-302a and repealing the existing
17 section.
18

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

20 Section 1. K.S.A. 25-302a is hereby amended to read as follows:
21 25-302a. Any political party seeking official recognition in this state
22 after the effective date of this act shall file, at least 60 days before
23 the deadline for filing nomination papers and declarations of can-
24 didates, file petitions signed by ~~qualified a number of persons equal~~
25 ~~to at least 1,000 electors equal in number to at least 2% of the~~
26 ~~total vote cast for all candidates qualified to vote~~ for the office of
27 governor in the state in the last preceding general election. Such
28 petitions shall declare support for the official recognition of a political
29 party, the name of which shall be stated in the declaration. No
30 political party seeking official recognition shall assume a name or
31 designation which is similar, in the opinion of the secretary of state,
32 to that of an existing party as to confuse or mislead the voters at
33 an election.

34 Petitions seeking official recognition of a political party shall be
35 substantially in the following form:

36 PETITION SEEKING THE OFFICIAL RECOGNITION OF
37 THE _____ PARTY IN THE STATE OF KANSAS

38 I, the undersigned, hereby declare my support for the official recognition
39 of the _____ Party.

40 I have personally signed this petition; I am a registered elector of the state
41 of Kansas and the County of _____, and my residence address
42 is correctly written after my name.

43 NAME OF SIGNER ADDRESS AS REGISTERED CITY DATE OF SIGNING

44 Appended to each petition page or set of pages shall be: (1) A
45 copy of an affidavit by the circulator of the ~~petition~~ election officer
46 of the county of residence of the circulator of such petition affirming

qualified electors equal in number to not less than 1% of the total vote cast for all candidates"

PROPOSED SUBCOMMITTEE REPORT

Your Subcommittee on Elections

Recommends that Senate Bill No. 417

~~"AN ACT concerning persons committed to the secretary of corrections; relating to assessment of costs of transporting such persons to certain court proceedings."~~

Be amended:

On page 2, following line 18, by inserting the following:

"(d) study and review the laws governing the legislature with the intention of preserving the concept of a part-time citizens legislature and the ability of citizens to serve therein;"

Also on page 2, in line 19, by striking "(d)" and inserting "(e)"; in line 23, by striking "(e)" and inserting "(f)";

And the bill be passed as amended.

Chairperson

Senate Elections
1-30-90
Attachment 2