

Approved 2-29-91  
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Tom Sawyer a  
Chairperson

9:10 a.m./p.m. on Tuesday, February 5th, 1991 in room 521-S of the Capitol

All members were present except: Representative Cates, excused

Committee staff present:

Pat Mah, Research  
Arden Ensley, Revisor  
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Ron Thornburgh, Office of the Secretary of State

The House Elections Committee was called to order by Chairman Tom Sawyer at 9:10 a.m. on February 5th, 1991 in Room 521-S.

The minutes of the meeting on January 31st were presented for approval. Representative McKechnie made a motion to approve the minutes, seconded by Representative Macy and the motion carried.

The Chair opened hearings on HB 2079 and called on Ron Thornburgh from the Office of the Secretary of State. HB 2079 prohibits inserting any campaign literature in any absentee ballot envelopes and prescribing penalties for this violation. He proposed making an amendment which would state "no person shall, while delivering an absentee ballot, also deliver or present any political campaign literature or advertising designed to influence a voter for or against a particular candidate or question submitted". (Attachment 1) The committee discussed this at length regarding whether the worker or the candidate would be responsible, delivering the ballot at one time and then immediately delivering the literature, if the mail man would be exempt, penalty imposed, etc. Arden Ensley stated a Class C misdemeanor was punishable with a fine not to exceed \$500 and not to exceed one month in the county jail. Representative Wells would like some clarification of a ballot being in a drop box versus the ballot being in the possession of the Election officer. She also stated some of her constituents did not feel the instructions were clear. Ron and Arden Ensley, Revisor, will look at this to see if the language is now clear or if there should be some clean up. Following this discussion hearings were closed on HB 2079.

Chairman Sawyer called for final action on HB 2068, concerning the minimum votes required for nomination in a primary election. Ron Thornburgh provided the committee with a chart showing the percentage of votes needed, county by county, if figured at 5%. (Attachment 2). After committee discussion, Representative Shallenburger made a motion to amend HB 2068 to read 5% instead of 10% of registered voters required by a write-in candidate in the primary election to gain access to the general election. This was seconded by Representative Thompson and the motion to amend carried. Representative Baker made a motion to pass HB 2068 favorably, as amended, seconded by Representative Macy and the motion carried.

The Chair next called for final action on HB 2069. Arden Ensley stated this bill needed some clean up, eliminating in lines 17, 18 and 19 reference to precincts and also in line 25 changing "him" to a generic term. Representative McKechnie made a motion to amend HB 2069 as recommended, seconded by Representative Jones and the motion carried. Representative McKechnie made a motion to pass HB 2069 favorably, as amended, seconded by Representative Thompson and the motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,  
room 521-S, Statehouse, at 9:10 a.m./p.m. on Tuesday, February 5, 1991

HB 2071 was presented to the committee for final action. This bill reduces the number of days for the cut off of voter registration from 15 days to 14 days. Representative Shallenburger made a motion to pass the bill favorably, seconded by Representative Scott and the motion carried.

Chairman Sawyer appointed the sub-committees to work on an Ethics bill to be presented to the full committee for consideration. The committees are as follows:

Campaign Finance - Representative Macy, Chairman  
Representative Thompson  
Representative Parkinson  
Representative Love  
Representative Praeger

Conflict Of Interest - Representative Shallenburger, Chairman  
Representative Wells  
Representative Jones  
Representative Johnson

Lobbying and Administration - Representative McKechnie, Chairman  
Representative Love  
Representative Stephens  
Representative Baker  
Representative Scott  
Representative Cozine

The Campaign Finance committee will meet at 9:00 a.m. on Wednesday, February 6 in Room 521-S. The Lobbying and Administration Committee will meet at 9:00 a.m. on Thursday, February 7, Room 521-S.

Representative Baker requested the committee introduce a bill which would require legislators and members of the executive branch to report to the Public Disclosure Commission any contact they might have with a regulatory agency. This motion was seconded by Representative Wells and carried.

The Chair made two announcements:

- 1) anyone having bill requests should let him know and they would be heard at the next committee meeting
- 2) clarified that the purpose of the sub-committees was to develop a bill on ethics so the sub-committees themselves would not be holding hearings. They will be discussing what should be in the bill and he suggested a good starting point might be the Commission Report.

He stated he would like to have a report from the sub-committees in two weeks.

The House Elections Committee was adjourned at 9:50 a.m.





Bill Graves  
Secretary of State

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## STATE OF KANSAS

TESTIMONY OF RON THORNBURGH  
HOUSE ELECTION COMMITTEE  
FEBRUARY 5, 1991

House Bill 2079

Thank you Mr. Chairman and members of the committee for the opportunity to appear before you today on behalf of Secretary of State Graves.

House Bill 2079 prohibits the enclosure of any campaign material in an absentee ballot envelope. We experienced a problem last year when a candidate for office requested absentee ballots on behalf of voters and then stuffed the envelope with campaign material. We feel this is very much like campaigning at the polling place, which is prohibited.

Because the language of the bill only prohibits the enclosure of campaign material in the ballot envelopes, we also offer the following amendment:

"No person shall, while delivering an absentee ballot, also deliver, present or provide any political campaign literature or advertising designed to influence a voter to vote for or against a particular candidate or question submitted."

This language will prohibit any campaign material from reaching an absentee voter in conjunction with their absentee ballot.

In conclusion, we ask that you report House Bill 2079 favorable for action as amended.

House Elections Committee  
2-5-91  
Attachment 1

County	CD	Democrat total registered	5% of registered voters	Republican total registered	5% of registered voters
Allen	5	1,847	92	3,489	174
Anderson	5	1,234	62	1,570	79
Atchison	2	3,020	151	2,718	136
Barber	1	726	36	1,502	75
Barton	1	3,913	196	6,896	345
Bourbon	5	3,212	161	3,346	167
Brown	2	991	50	3,581	179
Butler	5	7,460	373	9,366	468
Chase	5	376	19	967	48
Chautauqua	5	448	22	1,399	70
Cherokee	5	4,327	216	3,183	159
Cheyenne	1	496	25	1,143	57
Clark	1	425	21	768	38
Clay	2	758	38	3,697	185
Cloud	1	1,443	72	2,994	150
Coffey	5	1,014	51	2,604	130
Comanche	1	455	23	861	43
Cowley	5	5,404	270	7,397	370
Crawford	5	7,390	370	6,221	311
Decatur	1	723	36	1,222	61
Dickinson	1	1,736	87	5,097	255
Doniphan	2	678	34	2,444	122
Douglas	2	9,991	500	15,028	751
Edwards	1	598	30	1,054	53
Elk	5	603	30	1,247	62
Ellis	1	5,620	281	3,915	196
Ellsworth	1	1,404	70	1,752	88
Finney	1	2,222	111	3,936	197
Ford	1	3,484	174	4,502	225
Franklin	5	2,985	149	4,714	236
Geary	2	2,596	130	3,107	155
Gove	1	558	28	787	39
Graham	1	467	23	1,422	71
Grant	1	726	36	1,701	85
Gray	1	852	43	813	41
Greeley	1	191	10	633	32
Greenwood	5	1,457	73	2,411	121
Hamilton	1	557	28	654	33
Harper	4	962	48	1,743	87

County	CD	Democrat total registered	5% of registered voters	Republican total registered	5% of registered voters
Harvey	5	3,693	185	6,860	343
Haskell	1	326	16	920	46
Hodgeman	1	346	17	713	36
Jackson	1	1,618	81	2,833	142
Jefferson	2	1,731	87	3,315	166
Jewell	1	402	20	1,620	81
Johnson	3	28,879	1,444	75,470	3,774
Kearny	1	382	19	1,117	56
Kingman	4	1,058	53	2,197	110
Kiowa	1	474	24	1,234	62
Labette	5	3,827	191	4,219	211
Lane	1	287	14	751	38
Leavenworth	2	5,760	288	5,619	281
Lincoln	1	551	28	1,313	66
Linn	3	1,402	70	2,630	132
Logan	1	490	25	1,027	51
Lyon	5	3,659	183	6,043	302
Marion	5	1,444	72	4,030	202
Marshall	1	2,098	105	3,147	157
McPherson	5	2,707	135	6,803	340
Meade	1	476	24	1,047	52
Miami	3	3,722	186	3,879	194
Mitchell	1	1,139	57	2,305	115
Montgomery	5	5,526	276	8,762	438
Morris	5	963	48	1,733	87
Morton	1	735	37	838	42
Nemaha	2	2,541	127	2,639	132
Neosho	5	2,460	123	3,682	184
Ness	1	596	30	1,180	59
Norton	1	635	32	2,079	104
Osage	5	2,416	121	3,286	164
Osborne	1	884	44	1,846	92
Ottawa	1	671	34	1,725	86
Pawnee	1	1,117	56	1,659	83
Phillips	1	643	32	2,504	125
Pottawatomie	2	1,590	80	4,480	224
Pratt	1	1,261	63	2,236	112
Rawlins	1	508	25	1,520	76
Reno	4	9,710	486	12,362	618

County	CD	Democrat total registered	5% of registered voters	Republican total registered	5% of registered voters
Republic	1	830	42	2,150	108
Rice	1	1,481	74	2,338	117
Riley	2	4,027	201	8,552	428
Rooks	1	762	38	1,968	98
Rush	1	727	36	1,200	60
Russell	1	1,215	61	2,836	142
Saline	1	5,456	273	9,991	500
Scott	1	525	26	1,623	81
Sedgwick	3	58,143	2,907	69,967	3,498
Seward	1	1,744	87	3,720	186
Shawnee	2	24,098	1,205	31,297	1,565
Sheridan	1	607	30	738	37
Sherman	1	998	50	1,810	91
Smith	1	701	35	1,910	96
Stafford	1	1,003	50	1,651	83
Stanton	1	290	15	552	28
Stevens	1	563	28	1,270	64
Sumner	4	3,954	198	4,433	222
Thomas	1	1,181	59	1,998	100
Trego	1	523	26	666	33
Wabaunsee	5	804	40	2,098	105
Wallace	1	162	8	755	38
Washington	1	704	35	2,907	145
Wichita	1	306	15	577	29
Wilson	5	1,078	54	2,817	141
Woodson	5	522	26	1,224	61
Wyandotte	3	38,162	1,908	12,315	616

Registration figures as of July 31, 1990  
Report prepared February 1, 1991  
by the Office of the Secretary of State