

Approved 2-27-91  
Date

MINUTES OF THE House COMMITTEE ON Elections

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

9:07 a.m./p.m. on Monday, February 25th, 1991 in room 521-S of the Capitol.

All members were present except: Representative Mary Jane Johnson, excused

Committee staff present:

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

Conferees appearing before the committee:

Representative Aldie Ensminger  
Jean Barber, Allen County Election Office  
Representative Ann Cozine  
Ron Thornburgh, Office of The Secretary of State  
John Polson

The House Elections Committee was called to order by Chairman Tom Sawyer at 9:07 a.m. on Monday, February 25th.

The minutes of the previous meeting on Friday, February 22nd were presented for approval. Representative Jones made a motion the minutes be accepted, seconded by Representative McKechnie, the motion carried.

The Chair opened hearings on HB 2215.

Representative Aldie Ensminger offered testimony in support of this bill. He stated this measure would provide an escape route for candidates with a change of heart, and more importantly to provide a mechanism for election districts to avoid costly primaries when a candidate's withdrawal would no longer necessitate a primary election. He did offer an amendment which would leave the date as June 10th rather than the 13th. (Attachment 1)

Jean Barber, Allen County Election Office, presented testimony in support of HB 2215. She stated candidates at times are encouraged to file for an office and then have serious misgivings about serving, if elected. She also provided a sheet with statistics showing the expenses occurred in a primary election. (Attachment 2 and Attachment 3)

Written testimony was next presented by Ron Thornburgh, from the Office of the Secretary of State, in support of this bill, as amended, because, he stated, it had the potential to save the counties a substantial amount of money in city and school primary elections. (Attachment 4)

Following questions by the committee, the hearing on HB 2215 was closed.

Hearings were opened on HB 2230. The Chair called on Representative Cozine, the sponsor of the bill. She provided written testimony stating the need for uniformity in the maps from county to county, in clarity, costs, and usefulness. (Attachment 5)

Ron Thornburgh rose in opposition to this bill, stating the Secretary of State's office feels HB 2230 creates an unnecessary burden on county government. (Attachment 6) He called on Randy Foster, State topographer, to explain what maps are available and the cost of producing the maps that are being requested.

Jean Barber also spoke in opposition to this bill stating Allen County does not presently have the capability of providing the election precinct and district maps in the way that is described in this bill. (Attachment 7)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,  
room 521-S Statehouse, at 9:07 a.m./p.m. on Monday, February 25, 1991.

Marilyn K. Chapman, Commissioner of Elections of Sedgwick County, did not appear before the committee but provided written testimony in opposition to HB 2230. She stated she felt requiring these maps for the very few people who might wish to have them would be an unnecessary burden on the taxpayers of the State of Kansas. ( Attachment 7a )

John Polson requested permission to speak to the committee. He spoke in support of this bill, saying that small cities are being discriminated against as their precinct boundaries do not show up on the larger maps.

Following this testimony, and questions by the committee, hearings were closed on HB 2230.

The Chair opened hearings on HB 2312 and called on Representative Cozine, as sponsor, to present her testimony. She addressed the accessibility of voter registration lists to the general public. ( Attachment 8 )

Jean Barber did not speak but presented written testimony in opposition to this bill. She states the city clerks have the option of requesting voter registration information at any time and it is furnished promptly. She requested that Section 1 (c) be deleted or at least amended to read "may" not "shall" deliver a copy to the city clerk of each city. ( Attachment 9 )

Ron Thornburgh stood in opposition to HB 2312. He stated the proposal was unnecessary and serves no real purpose for the citizens of Kansas and the information was readily available under the open records act. ( Attachment 10 )

The Chair declared hearings closed on HB 2312.

Hearings were then opened on HB 2136, disposing of filing fees. The Chair requested Ron Thornburgh work up a fiscal note on this bill by the next meeting on Tuesday, February 26th. Following questions by the committee, hearings were closed on HB 2136.

Representative Sawyer requested introduction of a bill to allow cities of the first class to have partisan elections. Representative McKechnie made a motion that this bill be introduced, seconded by Representative Stephens and the motion carried.

The meeting was adjourned at 10:20 a.m. The next meeting of the House Elections Committee will be Tuesday, February 26th at 9:00 a.m. in the Old Supreme Court Room.



ALDIE ENSMINGER  
REPRESENTATIVE, NINTH DISTRICT  
RT. 1, BOX 18F  
MORAN, KANSAS 66755-9702

ALLEN AND PART OF  
ANDERSON COUNTY



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
MEMBER: INSURANCE  
PENSIONS, INVESTMENTS & BENEFITS  
TAXATION

February 25, 1991

## TESTIMONY REGARDING HOUSE BILL 2215

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before you today and testify in favor of HB 2215, which if adopted would allow a candidate to have his name physically removed from the ballot if the candidate notifies the county election officer in writing and signed before such officer within **three days after** the filing deadline.

The intent of this measure is to provide an escape route for candidates with a change of heart, and more importantly to provide a mechanism for election districts to avoid costly primaries when a candidate's withdrawal would no longer necessitate a primary election. It is my understanding that there is currently a three day waiting period before a finalized ballot can be sent to the printer, so I don't feel like this three day period is unreasonable.

After reviewing the bill draft, I would **recommend one amendment** on page 1, line 22 by leaving the date on June 10, rather than 13. The reason being that for those positions there is already a primary scheduled regardless of the number of candidates filed.

Thank you for your consideration, and I would be happy to answer any questions.

# COUNTY OF ALLEN

Courthouse

IOLA, KANSAS 66749

Office of: ALLEN COUNTY CLERK/ELECTION OFFICER

(316) 365-7491

February 25, 1991

Rep. Michael Tom Sawyer  
Chairman, House Elections Committee  
State Capitol Building, Room 521-S  
Topeka, KS 66612

Re: HOUSE BILL 2215  
Withdrawal from Candidacy by a Candidate

Chairman Sawyer, Members of the House Elections Committee:

I wish to speak as a proponent of HB-2215 which has been introduced by Rep. Ensminger, a resident of Allen County.

This bill addresses the withdrawal from candidacy by a candidate. Present statutes dealing with filing for office and the withdrawal of the candidacy state that a candidate for election may withdraw at any time up to but no later than the filing deadline.

HB-2215 is written to allow the withdrawal from candidacy up to but no later than the third day following the filing deadline.

The following situation was experienced by the Allen County Elections office this past January. As you will recall, the filing deadline for candidates for election to community college board of trustees, candidates for various city offices and candidates for school member districts was at noon on Tuesday, January 22, 1991.

Allen County Community College will elect three members-at-large to the board of trustees in April, 1991. There were five candidates filed for the three positions by 11:30 a.m. on Tuesday, the filing deadline. Shortly after 11:30 a.m., the sixth candidate presented his statement of candidacy and paid the \$5.00 filing fee. At 11:45 a.m., a seventh candidate filed for the board of trustees, creating a primary election. The filing deadline ended by noon on Tuesday, January 22nd, with seven individuals filed for three positions to be elected. As you are aware, a primary election is held when there are more than twice the number of candidates filed for the number of positions to be elected.



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Re: HOUSE BILL 2215  
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On Wednesday, June 23rd, the day following the filing deadline, at 7:55 a.m., a call was received from one of the candidates asking that his name be withdrawn from candidacy. He was informed that present statutes would not allow his withdrawal after the filing deadline and further, that his name would be included on the ballot as a candidate for nomination.

The primary election in Allen County held on February 26th will be held countywide to reduce the number of candidates for the community college board of trustees in the general election to six, and one of these primary candidates does not wish to be considered a candidate in the general election.

Allen County will hold a primary in the City of Humboldt for the position of mayor. This primary election will be held in two precincts. The community college primary will involve seventeen precincts across the entire county. There will be no proration of election expense. The entire cost will be paid by Allen County.

I have found in discussion with other county election officers and election commissioners that similar instances have occurred across the state. Candidates at times are encouraged to file for an office and then have serious misgivings about serving, if elected, in the office. In this recent instance in Allen County, the candidate expressed his withdrawal in the terms of personal matters which needed his attention.

I would, therefore, request that HB-2215 be approved and passed through the House Elections Committee and sent to the Senate for its consideration.

Respectfully submitted,



Jean M. Barber  
ALLEN COUNTY ELECTIONS OFFICER

ESTIMATED  
PRIMARY ELECTION EXPENSE  
February 26, 1991

<u>American Information Systems, Inc:</u>		
Ballot Stock - 12,825 sheets		\$1,026.00
Programming		623.46
 <u>Iola Register:</u>		
Notice of Primary Election		\$ 45.00
 <u>Iola Register Printing:</u>		
Primary Ballots (estimate)		\$1,700.00
 <u>Payroll, Election Boards:</u>		
69 @ \$3.80/hr, 13 hrs.	\$3,408.00	
Supervising Judge, 17 & 2.00	34.00	
Supervising Judge, mileage (estimate)	<u>30.00</u>	
		\$3,472.00
 <u>Rental of Polling Places:</u>		
17 Precincts (estimate)		\$ 250.00
 <u>Labor Setting Up/Taking Down Booths:</u>		
17 Precincts (estimate)		\$ 400.00
 TOTAL PRIMARY EXPENSES - - - - - \$7,526.46		

House Elections Committee  
Attachment 3  
2-25-91

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 25, 1991

House Bill 2215

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

We support this bill as amended because it has the potential to save the counties a substantial amount of money in city and school primary elections. Under current law the counties must conduct a primary election when three or more candidates file for the same position. However, national, state, county and township primary elections must be conducted no matter how many candidates file for the position. Therefore, if city and school candidates wish to withdraw after the filing deadline, they may not do so, and the county ends up conducting an unnecessary election.

We support the amendment to keep the withdrawal deadline for national, state, county and township elections the same as the deadline to file for office. An extended withdrawal deadline would serve no purpose for these offices.

We ask that you report House Bill 2215 favorable for passage as amended.

House Elections Committee  
Attachment 4  
2-25-91



Mr. Chairman, Ladies & Gentlemen:

House Bill 2230 concerns county election maps. The problem it addresses is the lack of uniformity in the maps from county to county; in clarity, the cost factor and usefulness to citizens all over the state and in all 105 counties and in every township and precinct.

First, I will show you an example of this problem and then I will tell you what my solution would be to these problems.

An example of a county election map that does not represent all parts of that county with equal usefulness is that of the Sedgwick County Election Map. As you can see, this is a pretty good map of the city of Wichita but look what happens when you get outside the Wichita city limits. As a matter of fact several legislative districts, specifically District 93 & my own District 81 are even cut off and reduced to being put in a little box in such a small scale size as to be of no use at all in locating side streets or major roads or other markings out in the county areas and let me remind you that this is supposed to be a countywide election map.

This map cost \$5.00 last year and this year's map with updated Wichita city council districts has gone up to \$20.00, a sizeable 400% price increase and it still does not illustrate the bulk of the townships. Ironically, you can buy a City of Wichita map almost anywhere for \$1.50/

Johnson County has a map that is of a scale size that it shows the streets and highways and the entire geographical area of the county within the county boundaries. There are no little window box offsets on this map because the whole county is where it should be within the county lines on this election map. However, the quality of the printing is not especially clear. The cost of this map is 5<sup>00</sup>; Last year the cost was 5<sup>00</sup>.

Those examples give you an idea of the problems; no doubt, there are probably many others of which may apply to your own house districts or counties.

Now for the solution. The Secretary of State's office now already has on file the 1990 Kansas House District maps that are clear, low cost and useful for locating streets, highways in every city, township and county precinct in this state. They are uniform in such a way that you could place every county next to its adjoining county and it would make one giant map of the state with nothing leftover and nothing left out, as I have been advised by the revisor Arden Ensley.

These maps could be made available for every county to be utilized as its official county election map. These maps are available at this time so this would be the best time now to make the change for efficiency and cost effectiveness as again this is what I have been advised by Mr Ensley.

Here is an example of the kind of map that I am talking about. It cost          to make and it would be sold to the public at cost or cost plus 2% if you would like to amend it so as to provide a minimal revenue producing fee.

House Elections Committee

Thank you, Mr. Chairman, Ladies & Gentlemen Attachment 5 - 2-25-91

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 25, 1991

House Bill 2230

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

Our office opposed to House Bill 2230 because it creates an unnecessary burden on county government. The necessary maps are now available either in our office or the county offices. Although they may not meet the specific requirements of this proposal, they are more than sufficient to meet the needs of any citizen, or governmental entity.

We ask that you report House Bill 2230 unfavorable for passage.

Thank you.

House Elections Committee  
Attachment 6  
2-25-91

# COUNTY OF ALLEN

Courthouse

IOLA, KANSAS 66749

Office of: ALLEN COUNTY ELECTION OFFICER

(316) 365-7491

February 25, 1991

Rep. Michael Tom Sawyer  
Chairman, House Elections Committee  
State Capitol Building, Room 521-S  
Topeka, KS 66612

Re: HOUSE BILL No. 2230  
Concerning Election Precinct and District Maps

Chairman Sawyer, Members of the House Elections Committee:

I wish to speak in opposition to HB-2230 which concerns election precinct and district maps.

Allen County does not presently have the capability of providing the election precinct and district maps in the way that is described in this bill. I believe you will find that most counties would not be able to perform this project in-house but would be required to contract with an outside firm.

County election officers have recently completed boundary changes required by the regulations of the federal bureau of the census. These changes have been incorporated into the precinct maps now available. Written boundary descriptions are also provided, upon request.

The precinct maps in Allen County are to the scale of 1" equals one mile. City maps are to a somewhat larger scale.

Precinct maps are available upon request and are provided within a reasonable time, depending on whether copies are available or must be reproduced. The charge for providing information is established as the cost of the copies made.

If additional information is required that is not included on the precinct maps, it, too, is created or copied and made available to the person requesting it.

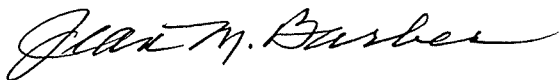


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Re: HOUSE BILL 2230  
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I would, therefore, request that HB-2230 be considered further and that the committee recommend that it be not passed.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jean M. Barber".

Jean M. Barber  
ALLEN COUNTY ELECTION OFFICER

## Commissioner of Elections



TO: Representative Tom Sawyer, Chairman  
House Elections Committee

FROM: Marilyn K. Chapman, Commissioner of Elections

DATE: February 21, 1991

SUBJECT: HB 2230

I have been making some inquiries in regard to procuring the maps which would be required by this bill.

The Sedgwick County election office currently purchases maps from Kansas Blue Print Co., Inc. of Wichita. Because of high production costs, we have tried to select a few maps which will be of the most help to the most people, including our office and the Secretary of State. Maps are currently sold to citizens at the the cost of printing the maps. The development costs of approximately \$500.00 are currently absorbed by my office.

Kansas Blue Print has advised me that they do not have the capability at this time of producing a map which would include all street names throughout the county. They do anticipate being able to do so later this year, however. A map of Sedgwick County, at a scale of 1/2 mile to the inch, would be approximately 7 feet square and the printing cost for each map would be about \$50.00 if ordered in a large quantity, in addition to the set-up cost of \$500.00 or more.

The Sedgwick County Clerk's office has a cadastral mapping system which includes every plat in the county. Election precincts are not available through the Clerk's database at this time. A single map of the entire county cannot be produced. At a scale of 1/2 mile to the inch, at least 9 maps would be required at a cost of \$5.00 or \$6.00 each, plus the development costs.

I have talked to several other county election officers to see whether my county was alone in not being able to produce such a map. I find that none of them are in a position to do so now, and due to budgetary restraints feel that they probably never could.

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Because neither the Sedgwick County election office nor the Secretary of State need this type of map for their use, because during the last ten years only two people have requested such a map, and because the cost would be so high, I feel that to require this map for the very few people who might wish to have it would be a unnecessary burden on the taxpayers of the State of Kansas.

cc: Election Committee Members

Mr. Chairman, Ladies & Gentlemen:

House Bill 2312 addresses the accessibility of voter registration lists to the general public who find it difficult to go to their county election commissioner's office everytime they need this type of information in the four largest Kansas counties.

H.B. 2312 would provide copies of the updated voters' registration information to every city clerk's office in those four counties on an annual basis such as July 1 of each year from their respective election commissioner.

The costs involved to accomplish this task would be nominal and the benefits derived do justify those very small costs involved.

In fact, it would reduce gas consumption, potential parking problems and reduce the workload in those election commissioners' offices when the general public would then have direct access to that information in their own communities.

As you all know - there are only 4 counties in Kansas that do have election commissioners at the present time.

Wyandotte which has a population of 165,000 with 3 cities.

Shawnee which has a population of 125,000 with 5 cities.

Johnson which has a population of 375,000 with 22 cities.

Sedgwick which has a population of 400,000 with 19 cities.

As you all can see, this would have a pragmatic benefit to and for approximately one-half of the state's population.

One last note, as an example: In Sedgwick County, the city of Cheney is over 30 miles to the downtown courthouse in Wichita and where I live in Mulvane it is over 25 miles to downtown Wichita.

~~Ax~~ In closing, I might add that this bill would be very beneficial for all public officials in determining who is and who is not registered to vote in their own town.

Thank you very much, Mr Chairman, Ladies & Gentlemen.  
I now stand for any questions that you might have.

# COUNTY OF ALLEN

Courthouse

IOLA, KANSAS 66749

Office of: ALLEN COUNTY CLERK/ELECTION OFFICER

(316) 365-7491

February 25, 1991

Rep. Michael Tom Sawyer  
Chairman, House Elections Committee  
State Capitol Building, Room 521-S  
Topeka, KS 66612

Re: HOUSE BILL No. 2312  
Concerning Voter Registration

Chairman Sawyer, Members of the House Elections Committee:

I wish to speak in opposition to Section 1.(c) of HB-2312 concerning voter registration and the registration books of the county.

This particular wording contained in (c) states that the county election officer **shall** deliver a copy of the registration books of the county to the city clerk of each city at the time established for the transmission of voter registration data to the office of the secretary of state.

The city clerk in most second and third class cities is not at all interested in receiving the registration lists mentioned above. They have the option now of requesting voter registration information at any time and it is furnished promptly for their use.

The City of Humboldt always requests a copy of the registration lists for that city on any election day. It is always provided. They are able to assist the election boards and potential electors concerning registration and eligibility to vote. We have established a good working relationship. I am sure this situation could and does now occur in other localities.

I would, therefore, urge that this section be deleted or amended as to a change in the word "shall" to the word "may" deliver a copy ... to the city clerk of each city.

House Elections Committee

Attachment 9

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House Elections Committee  
Re: HOUSE BILL 2312  
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The county election officers and election commissioners have expressed their total commitment to the concept of a centralized voter registration database. I personally was involved with the committee which studied and formulated a standardized application for voter registration. This standardized form now includes all the necessary voter registration information required for the establishment of a centralized voter registration database.

We do, however, have some reservations about the statutory requirement of sending registration lists to city clerks who have no interest in receiving the lists.

I would request your consideration of a review of Section 1.(c) in light of these comments.

Respectfully submitted,



Jean M. Barber  
ALLEN COUNTY ELECTION OFFICER

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 25, 1991

House Bill 2312

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

I appear today in opposition to HB 2312. The proposal is unnecessary and serves no real purpose for the citizens of Kansas. The information is readily available under the open records act at the county courthouse and will soon be available at the Secretary of State's office.

Because of the time frame in the bill, the county election officer will not be able to deliver the names to the cities because they will be preparing for an election. In Johnson county, with 21 different cities, it would take a minimum of four days at a charge of approximately \$600 to run one set of registration books.

Again, thank you Mr. Chairman, and we ask that House Bill 2312 be reported unfavorably for passage.