

Approved 3-7-91
Date

MINUTES OF THE House COMMITTEE ON Elections

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

9:13 a.m./p.m. on Monday, March 4, 1991 in room 521-S of the Capitol.

All members were present except:

Committee staff present:

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

Conferees appearing before the committee:

Representative Anthony Hensley
Ron Thornburgh, Office of the Secretary of State
Representative Sherman Jones
John Koepke, Executive Director of the Kansas Association of School Boards

The House Elections Committee was called to order by Chairman Tom Sawyer at 9:13 a.m. on Monday, March 4th, 1991.

The minutes of the meetings on February 26th, 27th and 28th were presented for approval. Representative Macy made a motion to approve the minutes, seconded by Representative Shallenburger and the motion carried.

Chairman Sawyer opened hearings on HB 2151, concerning appointment of election commissioners.

Representative Anthony Hensley, the sponsor of the bill, appeared before the committee. He stated he requested this bill because he felt the county commissioners in the four urban counties should appoint the election commissioner, the rationale being local officials should be responsible to the people who administer the budget.

Ron Thornburgh, from the Office of the Secretary of State, spoke in opposition to this bill and also HB 2405. He stated the Secretary of State is opposed to the ideas presented in these bills, stating they have a good working relationship with the four most populous counties and, now more than ever with the federal census and redistricting efforts, it is vital to maintain this working relationship. (Attachment 1)

Both conferees stood for questions following their testimony after which hearings were closed on HB 2151.

The Chair next opened hearings on HB 2405, providing for election of commissioner of elections in certain counties.

Representative Jones presented testimony on HB 2405. He stated he would support either concept, HB 2151 or HB 2405, however he felt it was important that the people have the right to have the selection of the county election commissioner be under local control.

Following questions by the committee, the Chair declared hearings closed on HB 2405.

Hearings were then opened on HB 2070, the mail ballot election act.

John Koepke, Executive Director of the Kansas Association of School Boards, gave his testimony. He stated that HB 2070 was introduced in order to insure local boards of education had the ability to determine when mail ballot elections would be used for bond issue elections. (Attachment 2)

Ron Thornburgh, Office of the Secretary of State, rose in opposition to HB 2070. He stated the position of the office of Secretary of State is opposition to this bill because they feel it is unnecessary. To their knowledge the school board has not recently been

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S, Statehouse, at 9:13 a.m./p.m. on Monday, March 4, 1991.

denied the opportunity to have an election by mail, by the County Election Officers, if they were able to conduct the election and maintain the standards required by the office of the Secretary of State. (Attachment 3)

The Chairman declared hearings closed on HB 2070 following a period of questions by the committee.

An amendment for HB 2454 had been requested and the Revisor, Arden Ensley, passed out the proposed amendment for the committee to study before taking up the bill on Wednesday. This amendment addressed filing of income taxes by candidates.

The Chair announced that the committee would begin working HB 2454 on Wednesday and asked that the members have their amendments ready so that discussion on the bill could proceed in a timely fashion. He also announced that the Committee would meet in Room 123-S for Tuesday only.

The House Elections committee was adjourned at 10:20 a.m.



Bill Graves
Secretary of State

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STATE OF KANSAS

TESTIMONY OF RON THORNBURGH
HOUSE ELECTIONS COMMITTEE
MARCH 4, 1991

House Bills 2151 and 2405

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

The office of the Secretary of State is opposed to the ideas presented in House Bill 2151 and 2405. Now more than ever, we are working closely with the offices of the County Election Commissioner in the four most populous counties. With the mapping projects involved with the federal census and redistricting efforts, it is vital that we maintain this working relationship.

We stand opposed to House Bill 2151 and 2405 and ask that you report them unfavorably.



Testimony on H.B. 2070
before the
House Committee on Elections

by

John W. Koepke, Executive Director
Kansas Association of School Boards

March 4, 1991

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you on behalf of the member boards of education of the Kansas Association of School Boards in support of H.B. 2070. House Bill 2070 was introduced by the Committee at our request in order to insure that local boards of education have the ability to determine when mail ballot elections will be used for bond issue elections.

School boards have been utilizing mail ballot elections in many counties for a number of years for bond issues. Regardless of the outcome of these elections, one universal trait has emerged when using mail ballot elections. Voter turnout is significantly higher when using mail ballots than it is in conventional election procedures. Unfortunately, under present statutes, some county election officers have refused to hold mail ballot elections even when requested to do so by a local school board.

We believe that this alternate method of election should be available to all of our members, since the cost of these elections must be borne by the school board. A bill similar to H.B. 2070 was passed by the Kansas House of Representatives in 1990, but failed to be considered in the Senate due to a time problem. We would ask that you report H.B. 2070 favorably and I would be happy to answer any questions.



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STATE OF KANSAS

TESTIMONY OF RON THORNBURGH
HOUSE ELECTIONS COMMITTEE
MARCH 4, 1991

House Bill 2070

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 are opposed to House Bill 2070 because it is unnecessary. County Election Officers, to the best of my knowledge have not recently denied a school board the opportunity to have an election by mail if they were able to conduct the election and maintain the standards required by our office. If a County Election Officer was unwilling to conduct an election by mail, and the people of the district wanted to have an election in that manner, I am confident they would not be the Election Officer for very long.

The local school districts have the authority to call an election. The person responsible for conducting that election should have the authority to decide how the voters would best be served. If the school district were to order an election by mail, and the clerk, because of inadequate time to prepare for the election or because of a lack of the necessary records or signatures was unable to conduct the election properly, the election would be an utter failure. The sanctity of the vote could be compromised and the integrity of the system at risk.

I urge you to report House Bill 2070 unfavorably.

Thank you. I will be happy to stand for questions.