

Approved _____

2-27-92

Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Sherman Jones at
Chairperson

9:10 a.m./p.m. on February 20, 1992 in room 521-S of the Capitol.

All members were present except:

Committee staff present:

Arden Ensley, Revisor
Pat Mah, Research
Shirley Lee, Committee Secretary

Conferees appearing before the committee:

Rick Bowden
Michael Woolf, Kansas Common Cause
Joe de la Torre, Secretary of State Office

Others attending: see attached list.

Chairman Jones opened the hearing for **HB 2890** - Concerning Absentee Voting.

Rick Bowden appeared before the Committee as a proponent. He stated the bill was designed to give individuals who were registered voters the status of permanent absentee voter if they would prefer such status. Currently only persons with a physical disability or an illness which has been diagnosed as a permanent illness are permitted to apply for status as a permanent absentee voter (see Attachment 1).

Committee members addressed questions to Rick Bowden about the bill as it relates to mileage restrictions, procedures for persons to apply for permanent absentee, reduction in administrative mail ballots and benefits to military members and students.

Joe de la Torre appeared before the Committee. He stated the Secretary of State was not a proponent or opponent to the bill, but rather felt the bill was a policy decision. However, the Secretary of State does support the expansion of the opportunity to vote. He expressed a concern about the cost to local taxpayers as the postage would exceed twenty-nine cents, and stated the clerks were very lenient and doctors orders were not always checked.

Joe de la Torre entertained questions from the Committee relative to removal from permanent list, foreign countries who have absentee, students moving, current laws supporting permanent absentee, statutes regarding shift workers, statistics of persons on absentee list and a letter from Ms. Stevenson (see Attachment 2).

A point of clarification was made from Arden Ensley, Revisor. He stated the bill provides for one time basis as well as permanent.

With no further questions the hearing for **HB 2890** was closed.

Chairman Jones relinquished the chair to Vice Chair as he appeared before the Committee. Vice Chair Macy opened the hearing for **HB 2867** - Concerning absentee ballots.

Chairman Jones stated the bill came about during a subcommittee ethics bill last year. As housepersons they can receive \$500 for the primary election and \$500 for the general election for a \$1,000 total. Fundraising brings outside interest. The cost of those people are apart of those contributions, but as legislators you never see it. To be consistent there is a certain amount of allowances for food and travel for state and national conferences. The funds that you used to get elected are just as important, and have certain responsibilities. One, to get you elected and the other is to help you survive. Chairman Jones gave an example of his golf tournament and church fund raiser. He stated the actual contributions are less the expenditures and the intent was to get credit for having to use a third party vendor.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S, Statehouse, at 9:10 a.m./p.m. on February 20, 1992

Vice Chair Macy opened the floor for questions. The Committee discussed the matter as it relates to in-kind donations, net proceeds, and public disclosure.

Vice Chair Macy opened the floor for opponents to appear before the Committee.

Michael Woolf, Kansas Common Cause, appeared before the Committee as an opponent to HB 2867. He stated the proposal would treat money raised through events differently than other types of fundraising expenditures which could create unfairness, and it would not provide for full public disclosure of the total amount of money raised by a candidate and contributed by special interest groups or individuals (see Attachment 3).

Vice Chair Macy opened the floor for questions. Committee members discussed the bill as it relates to tax purposes, third party vendors, advertisement, and reporting of extra costs.

There were no further discussions and hearing for HB 2867 was closed.

Chairman Jones opened the floor for final action on HB 2876 - Concerning ballots.

Representative Macy made a motion to pass the bill favorably. Representative Parkinson seconded the motion.

Representative Macy moved to amend line 22 of HB 2876 to add the word "and." Representative McKechnie seconded the motion and the motion carried.

Representative Macy moved conceptually throughout the bill that the boxes be moved to the left with the language over the box. Representative Shallenburger seconded the motion, and the motion carried.

Representative Parkinson moved to amend the bill to keep the boxes on the right side with the wording. Representative Praeger seconded the motion, and the motion failed.

Representative Wells moved to amend HB 2876 to read on page 9, line 8, "polling place" instead of voting booth. Representative Macy seconded the motion and the motion carried.

Representative Love moved that HB 2876 be amended to include a new sentence stating poll workers read notice to everyone entering to vote. Representative McKechnie seconded the motion and the motion failed.

Representative Bishop moved that HB 2876 be amended to have the instructions printed on the ballots and have the notice in the polling place. Representative Johnson seconded the motion and the motion carried.

Representative Bishop moved that HB 2876 be passed favorably with amendments. Representative Macy seconded the motion and the motion carried.

Chairman Jones opened the floor for final action on HB 2877 - Concerning the contest of elections.

Representative Shallenburger moved that HB 2877 be passed favorably. Representative Bishop seconded the motion and the motion carried.

Chairman Jones opened the floor for final action on HB 2878 - Concerning recounts of ballots.

Representative McKechnie moved that the bill be passed favorably. Representative Bishop seconded the motion.

Representative McKechnie moved to amend the bill to limit it to county wide and state offices. Representative Bishop seconded the motion. The motion was opened for discussion, and the motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
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Representative Wells moved that line 37 be amended to read "than the total member of ballots cast for all precincts and township such". Representative Love seconded the motion, and the motion carried.

Representative Macy moved that the bill be amended on line 28 to allow an additional day till noon, if Monday is a holiday. Representative Bishop seconded the motion, and the motion carried.

Representative Bishop called the question on the motion to pass favorably with amendments, and the motion carried.

With no further business, the meeting was adjourned at 10:45 a.m.

RICK BOWDEN
REPRESENTATIVE, NINETY-THIRD DISTRICT
433 WALNUT
GODDARD, KANSAS 67052



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HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIRMAN: EDUCATION
MEMBER: GOVERNMENTAL ORGANIZATION

MEMBERS OF THE HOUSE ELECTIONS COMMITTEE

HOUSE BILL 2890

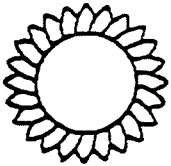
Thank you Chairman Jones and members of the Committee for hearing HB 2890.

This bill is a response to concerns expressed to me by individuals from my legislative district. Certain persons who live in the 93rd district are hindered in their attempts to exercise their right to vote due to factors beyond their control. Many persons work in Wichita businesses but reside in distant areas of the county. They often have trouble making it to the polls on election day due to overtime at work or closing of the polls prior to their return to their voting precincts. This bill is not intended to excuse those persons who simply "put off" voting but rather to provide an option for those persons who do often have trouble exercising their right of suffrage. In addition there are many individuals who live in the 93rd District who are elderly and have considerable problems getting to the polls or who unable to physically get to the polls.

This bill is designed to give individuals who are registered voters the status of permanent absentee voter if they would prefer such status. Currently only persons with a physical disability or an illness which has been diagnosed as a permanent illness are permitted to apply for status as permanent absentee voter.

Thank you for the opportunity to speak today to HB 2890. I would be happy to respond to questions.

*House Elections
2-20-92
Attachment 1*



Johnson County
Kansas

Elgia C. Stevenson
Election Commissioner

February 20, 1992

Representative Judy Macy
State Capitol
Topeka, Kansas 66612

Dear Judy:

One more try at electronic communication! Anything will be better than Monday, which began with a balky computer and worsened in the morning hours.

Late last night, I recalled our Monday conversation when you asked me about "the absentee bill" and I replied that I had no problem with it. Unfortunately, my memory does not confirm our literal reference to the bill by number. My response to your question addressed the content of HB 2879.

HB 2890 is also an absentee bill. If by any chance, your question was about the content of that bill, as a ground level election administrator, I cannot give it an endorsement.

Though generally supportive of new ideas, I do entertain a belief that Kansas is not ready for massive dispersal of absentee ballots. The absentee voting process offers a disturbing opportunity for fraud too lengthy to discuss in this letter. Recalling the endless challenges of 1990, it is not logical to expand a troubled system at this time.

All election administrators are aware of the glowing reports of the success of open absentee ballot voting. It is normal for those who enjoy being quoted to endorse any change from a basis of no involvement with fact. Few advocates are found at the hands-on operational level 'enjoyed' by my peers and myself. Though redundant, my opposition to HB 2890 is firm.

Now for a positive! Please thank the committee for passing many fine election bills. Election jargon is so convoluted, even to those of us with daily involvement. I sincerely appreciate the study and intense consideration of the committee in developing and recently passing good bills. It will be a good session if each committee member is equally successful in their service on other committees.

Thanks for listening!

Sincerely,

Elgia C. Stevenson

cc: Representative Mark Parkinson
Representative Tom Thompson
Joe de la Torre, Office of Secretary of State ✓

*House Elections
2-20-92
Attachment 2*



COMMON CAUSE / KANSAS

701 Jackson, Room B-6 • Topeka, Kansas 66603 • (913) 235-3022

Testimony in Opposition to House Bill 2867
By Michael Woolf, Executive Director
February 20, 1992

Thank you for allowing me to testify today in opposition to House Bill 2867 which would allow the cost of a testimonial event to be deducted from the amount of money raised at the event.

While Common Cause understands the frustration with being required to report money that is spent to raise money, it is a very necessary part of our law.

This proposal would treat money raised through events differently than other types of fundraising expenditures which could create unfairness, and it would not provide for full public disclosure of the total amount of money raised by a candidate and contributed by special interest groups or individuals.

If, for example, a fundraising event is held which costs \$1,000 and tickets cost \$500 each, and only two people show up; the contributions would not be reported and those people would be allowed to again give the maximum contribution.

In addition, this could create some confusing paper work. If PACs, which also file disclosure reports, give to a testimonial event, the candidate would need to contact them with their pro-rated percentage of the expenses so they could report their contribution minus expenses, and a candidate would need to reduce each contribution received at the event for his or her report. Proof of those expenses should also be required to check accuracy.

Because of these problems, we urge the committee to oppose this bill.

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Attachment 3