

Approved _____

Date

4-10-92

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

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

1:30 ~~xxx~~ p.m. on April 7, 1992 in room 529-S of the Capitol.

All members were present ~~except~~ or excused:

Committee staff present:

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

Conferees appearing before the committee:

Joe de la Torre, Office of the Secretary of State
Others attending: see attached list.

The meeting was called to order shortly after 1:30 p.m.

SB-789 - Concerning petitions for nomination and for elections.

The chairman told committee members that SB-789 would apply only to the year, 1992, and was made necessary since apportionment boundary lines for the coming election were not yet established. The time element becomes a factor and affects the number of petition signatures required in order that a candidate's name may be placed on the ballot.

Staff presented a supplemental note on SB-789 noting it specified the formula for two different time frames concerning the number of signatures necessary for petitions to place names of candidates on the ballot. (Attachment 1) The bill also contains provisions of HB-3124.

Joe de la Torre appeared before the committee to request the clarifying language contained in HB-3154 be amended into SB-789. Mr. de la Torre noted this bill would clarify which voter registration figures to use when computing the number of signatures needed on election petitions.

Senator Brady moved, with a second by Senator Lee, to amend SB-789. The motion carried.

Senator Kerr, with a second from Senator Yost, moved to report SB-789 favorable for passage as amended. The motion carried.

The meeting adjourned at 1:48 p.m.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE April 7, 1992

(PLEASE PRINT)

NAME AND ADDRESS

ORGANIZATION

Joe de la Torre TOPERA
Bill Craven

Secretary of STATE office
Topeka Metro News

SESSION OF 1992

SUPPLEMENTAL NOTE ON SENATE BILL NO. 789

Brief*

S.B. 789 would change, only for 1992, the number of signatures required on nomination petitions for election to certain offices. The bill provides that, if apportionment boundary lines are defined and districts established on or before May 10, 1992, for the offices of representative in the United States Congress, senator and representative in the Kansas Legislature, and members of the State Board of Education, nomination petitions for nomination to such offices would have to be signed by not less than 1 percent of the registered voters of the respective party in the district. However, if the boundary lines are defined and districts established after May 10, 1992, for these offices, the nomination petitions for nomination to a office would have to be signed by registered voters of the respective party in the district equal in number to not less than 1,000 for the office of representative in the United States Congress, 300 for the office of member of the State Board of Education, 75 for office of senator in the Kansas Legislature, and 25 for office of state representative in the Kansas Legislature.

The bill also would change laws relating to other types of election petitions. These changes are summarized below:

1. County or district attorneys would be required to provide a written opinion in regard to the legality of the form of a question contained upon a petition that requests an election in their political or taxing subdivision except for recall petitions for elected officials. In the case of an election that is held in more than one county or district, the county or district attorney who has the greatest portion of the political or taxing subdivision involving the petition election would be required to issue the opinion. The petition would have to be filed with the county or district attorney for the opinion prior to its circulation for signatures by registered voters. The county or

* Supplemental Notes are prepared by the Legislative Research Department and do not express legislative intent.

district attorney would have five calendar days following the receipt of the petition containing the question to furnish the written opinion.

2. Language would be added to require the county election officer or other appropriate official to give persons who request information regarding the filing of election petitions a copy of applicable state laws.
3. Language would be added to clarify that a petition which contains the issue that petitioners seek to bring to an election must be stated in the form of a question. The question stated on the petition would have to be in the same form as the one that should appear upon the election ballot. (Current law only says that each petition must clearly state the question which petitioners seek to bring to an election.)
4. Language would be added to clarify that a circulator of the petition must verify by signature before a notarial officer that the circulator personally witnessed the signing of the petition by each person whose name appears upon it and that the circulator of the petition is a resident and registered voter of the political or taxing subdivision in which the election is being sought. (Current law does not specifically state that an election petition must be notarized even though it is required. The law only says that each petition must contain a "verification" signed by the circulator to the effect that the circulator personally witnessed the signing of the petition by each person whose name appears upon it.)