

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Carol Dawson, at 9:00 a.m. on March 10, 1995 in Room 521-S of the Capitol.

All members were present except: Rep. Rochelle Chronister, Excused

Committee staff present: Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Donna Luttjohann, Committee Secretary

Conferees appearing before the committee: Brad Bryant, Deputy Asst Secretary of State
Elizabeth Ensley, Shawnee Co Election Commissioner
Jim Edwards, KS Chamber of Commerce & Industry

Others attending: See attached list

Chairman Dawson opened the hearing on SB 91 regarding advanced voting.

Brad Bryant was recognized by the Chair as a proponent of the bill. He testified that passage of this bill would allow anyone to vote by, what is now, absentee ballot. See Attachment 1.

The Chairman recognized Elizabeth Ensley as a proponent of the bill. She testified that this proposed method of absentee voting would increase voter turnout because it would alleviate confusion around the requirements of absentee voting. See Attachment 2.

Jim Edwards was recognized by the Chairman as a proponent of the bill. He testified that because of the long lines at the voting place, his organization became interested in this bill. See Attachment 3.

Committee discussion centered around a fiscal note, requested by Chairman Dawson. Brad Bryant responded to the questions by the Committee.

Chairman Dawson closed the public hearing on SB91.

SB 19 was brought to the Committee's attention by the Chairman. She requested the Revisor of Statutes, Arden Ensley review the draft of the Substitute Senate Bill 19 as amended during the March 9, 1995, Committee meeting. Rep. Haley made a motion to accept the Substitute Bill 19 as presented by staff. Rep. O'Connor seconded the motion. The motion carried.

Chairman Dawson called the Committee's attention to SB 92 regarding elected officials soliciting and accepting soliciting during the interim of being elected and taking the oath for the office in which they were elected. Rep. Benlon made the motion to recommend favorable passage of the bill. It was seconded by Rep. Yoh. The motion carried.

The Committee's attention was brought to SB 18 regarding artwork displayed in the capitol. The Chairman requested Arden Ensley summarize the bill. Mr. Ensley summarized the bill and suggested the Committee amend the bill to correct the omission of "d" and "e".

Rep. Toplikar made the motion to amend the bill by inserting "d" and "e". It was seconded by Rep. Tanner. The motion carried.

Rep. O'Connor made a motion to amend by removing the words culture and multicultural. It was seconded by Rep. Yoh. Discussion from the Committee took place.

Rep. Dillon made a substitute motion to pass the bill as amended by Rep. Toplikar. Rep. Wells seconded the motion. By a count of hands, there were 9 for the recommended passage and 6 against. The motion carried and the bill passed as amended. Representatives Yoh, O'Connor, Haley and Nichols requested they be recorded as voting "NO".

The Chairman adjourned the meeting at 10:00 a.m.

The next meeting is scheduled for Monday, March 13, 1995, at 9:00 a.m. in Room 521-S of the Capitol.

Ron Thornburgh
Secretary of State



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STATE OF KANSAS

House Committee on Governmental Organization and Elections

Testimony on SB 91

Brad Bryant, Deputy Assistant Secretary of State
Elections and Legislative Matters

March 10, 1995

Madam Chair and Members of the Committee:

Thank you for the committee's consideration of Senate Bill 91. This bill was proposed by the office of the Secretary of State, and we urge the committee to recommend it favorably for passage. As originally proposed, the bill was referred to as a no-excuse absentee voting bill, but it is more accurate now to call it an advance voting bill.

Senate Bill 91 will expand voting opportunities by making absentee-style voting easier for all voters. It will allow voting by some who have been unable to exercise their right to vote under current law. In addition to the expansion of voting opportunities, the bill is anticipated to alleviate crowding at the polling places on election day in counties that have experienced that problem. This expansion of voting opportunities can be accomplished within the current absentee voting system without creating confusing and cumbersome new procedures.

The key provisions of the bill are:

(1) Any registered voter may opt to vote by absentee, or advance, ballot without being required to specify a reason. Current law limits absentee voting to those who declare they will be absent on election day or who have a sickness, physical disability or religious objection that keeps them from voting at the regular polling places.

(2) The three traditional methods of delivery of absentee ballots are maintained and applied to advance voting:

- by mail--the deadline for applications is the Friday before the election, the same as under current law;

HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS

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March 10, 1995 Attachment 1
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UCC (913) 296-3650
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- in person--the deadline for applications is noon on the Monday before the election, the same as under current law; and
- by another voter on behalf of an absentee or advance voter--no deadline for applications is specified, but voted ballots must be delivered by the close of the polls on election day.

(3) Absentee or advance ballots cast in person by the voter in the office of the county election officer may be cast without being first enclosed in an envelope. This saves the cost of envelopes and saves the time and cost of opening envelopes during the canvass of votes. It maintains the security of ballots, however, because signatures of absentee voters are obtained on poll books and applications for ballots.

(4) Absentee or advance voters will be able to request and receive replacement ballots if their original ballots are lost, destroyed or not delivered. Current law does not provide for this, but it does provide for replacement ballots at the regular polling places and in mail ballot elections.

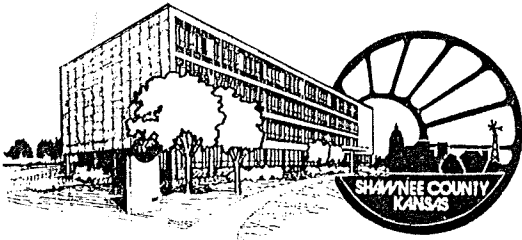
The Senate amended SB 91 in the following ways:

- the bill now requires the names of candidates for precinct committee positions to appear on absentee ballots;
- the bill prohibits county election officers from distributing ballots prior to the 20th day before any election; and
- throughout the election laws, references to absentee voting are changed to advance voting, except for references to federal services absentee voting. Sections 9 through 34 are concerned with this provision.

Any printing, postage and other administrative costs resulting from this legislation will be absorbed by county election offices as part of their existing ballot distribution costs.

The concept of no-excuse absentee voting has been discussed among Kansas election officials for several years. It is true that some counties' need for this legislation is less urgent than others because they don't experience as much crowding at the polls on election day, but they generally do not oppose it because it does expand voting opportunities. It is a provision that has been adopted by other states, and we propose that Kansas do the same.

Thank you.



Shawnee County
Commissioner of Elections

Elizabeth Ensley
Election Commissioner
Norine Staab
Asst. Election Commissioner

911 S.W. 37th, Suite A
Topeka, Kansas 66611-2378
(913) 266-0285

DATE: March 10, 1995

TO: The Honorable Carol Dawson, Chairman
House Committee on Governmental Organization
and Elections

FROM: Elizabeth Ensley, Election Comm^{Chairman}
County Clerks' Association

RE: Senate Substitute 91 - Advanced Voting

The Kansas County Clerks Association is interested in making voting as accessible as possible for voters and this legislation would be another step in that direction.

CARE GIVERS AND FIRE FIGHTERS -- Whether it is a matter of someone caring for a family member, nurses or fire fighters working a 12 hour shift, current law does not permit them to vote by absentee ballot.

FEAR OF POLLING PLACE -- In some areas of the city, some of voters have told us that they are afraid to go to the polling place in their precinct.

LINES -- The lines which exist at the polling place during peak voting hours would be alleviated.

PRECINCT COMMITTEE OFFICIALS ON THE BALLOT -- The substitute bill added precinct committee names to the ballot with the intent for counties to use their regular ballots with the word 'Absentee' stamped on the top. Counties without that ability may use lines on the ballot. This section helps to make advanced voting more cost-effective.

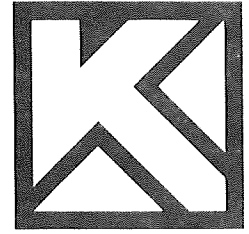
REPLACEMENT BALLOTS -- Replacement ballots have apparently been denied in some counties because of a lack direction in the statutes. The language in this bill would provide for replacement ballots.

In general, Substitute for SB 91 has made advanced voting very feasible.

HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS
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Attachment 2

LEGISLATIVE TESTIMONY

Kansas Chamber of Commerce and Industry



835 SW Topeka Blvd. Topeka, Kansas 66612-1671 (913) 357-6321 FAX (913) 357-4732
Sub. for SB 91

March 10, 1995

KANSAS CHAMBER OF COMMERCE AND INDUSTRY

Testimony Before the

House Governmental Organization and Elections Committee

by

Jim Edwards

Director, Chamber and Association Relations

Madam Chair and members of the Committee:

I am pleased to appear before you today to express KCCI's support for the concept of

Sub. for SB 91, a bill that would provide for any reason advance voting.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

After the long voting lines of 1992 that were experienced in many counties, KCCI's Public Affairs Committee reviewed the issue and adopted a policy that supported responsible voting reforms which make voting more accommodating to the citizens of Kansas while retaining the integrity of the voting process. Sub. for SB 91 is a bill which would do this by providing voters the

portunity to vote prior to the scheduled election day as a matter of convenience. After review by the Senate, Sub. for SB 91 appears to have the safeguards needed to protect the voting process.

Thank you for the opportunity to present this testimony. I would be pleased to answer any questions you might have for me.