

Approved: 2-21-95
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS, CONGRESSIONAL AND LEGISLATIVE APPORTIONMENT & GOVERNMENTAL STANDARDS .

The meeting was called to order by Chairperson Sen. Janice Hardenburger at 1:30 p.m. on February 16, 1995 in Room 529-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Brad Bryant, Secretary of State's office

Others attending: See attached list

Senator Hardenburger announced a subcommittee on SB 137 and SB 193 relating to classified employees and filing for elected office.

The subcommittee will be chaired by Senator Hardenburger with Senator Bond and Senator Brady serving on the committee .

SB 232- Relating to elections; concerning the administration and conduct of elections

Brad Bryant, Secretary of State's office, appeared before the committee to testify on SB 232. (attachment 1) He stated that this bill was an administration clean-up and requested the committee to recommend this bill favorably. Discussion followed.

Written testimony was submitted by Elgia Stevenson, Johnson County Election Commissioner in support of SB 232. (attachment 2)

Senator Hardenburger announced this bill would be worked on Tuesday, February 21, 1995.

The hearings closed on SB 232.

The meeting adjourned at 2:08.

The next meeting is scheduled February 21, 1995.

SENATE ELECTIONS, CONGRESSIONAL &
LEGISLATIVE APPORTIONMENT AND
GOVERNMENTAL STANDARDS COMMITTEE GUEST
LIST

DATE: February 16, 1995

NAME	REPRESENTING
Brad Bryant	Sec. of state
Brett Cott	Sen. Karr
Colleen Kuy	Sen. Karr
Alan Holmes	Division of Budget
Jennifer Yehon	Treasurer's office
Jana Atkinson	KCGSC
REBEKA UEB	COMMON CAUSE
Karl Peteripha	KS Taxpayers Network

Ron Thornburgh
Secretary of State



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STATE OF KANSAS
Senate Committee on Elections,
Congressional and Legislative Apportionment and
Governmental Standards

Testimony on Senate Bill 232

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

February 16, 1995

Madam Chair and Members of the Committee:

Thank you for your consideration of SB 232. We in the Secretary of State's office urge the committee to recommend this bill favorably for passage. We refer to it as an election administration clean-up bill. It sets some deadlines, tightens others, and improves several parts of the process of administering elections.

There are nine concepts featured in SB 232. They are listed below in chronological order (not the order in the bill) as they are encountered during an election cycle:

a. County election officers (CEOs) would be required to certify voter registration totals and party affiliation totals to the Secretary of State before each primary and general election *in even numbered years only*, instead of every year. This provision amends K.S.A. 25-2311 and 25-3302, and appears in Sections 5 and 9 of the bill.

b. The number of write-in votes a candidate must receive in the primary would be based on the most recent number of registered voters as certified to the Secretary of State, not the current numbers on file in the CEO's office. This provision amends K.S.A. 25-213 and appears in Section 2 of SB 232.

c. The bill clarifies that recognized political parties other than the Democratic and Republican parties would be required to nominate candidates to one or more statewide office, not each statewide office, to maintain party recognition status. This provision amends K.S.A. 25-302b and appears in Section 3.

d. CEOs would be required to send to each candidate a copy of a newspaper publication listing each candidate's name before the general election, instead of only before

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Attachment 1

the primary. This would include independent candidates, Libertarians, and judicial retention candidates. This provision amends K.S.A. 25-105 and appears in Section 1.

e. The bill establishes deadlines for party district conventions to convene and nominate persons to fill vacancies in offices and candidacies, and it applies also to vacancies in the state board of education. Current law does not contain a deadline for nominations in most cases. This provision amends K.S.A. 25-3902, 3902a, 3904 and 3904a; it appears in Sections 10, 11, 12 and 13.

f. In cases of recounts, CEOs would be required to notify each candidate involved in a recount that a recount had been requested, or to notify the county party chair. This provision amends K.S.A. 25-3107 and appears in Section 6.

g. CEOs would be required to send their certified abstracts of votes cast to the Secretary of State by the second Tuesday after the election instead of seventeen days after the election. This provision amends K.S.A. 25-3203 and appears in Section 7.

h. Candidates nominated in the primary would have seven, instead of three, days after the state board of canvassers meeting in August to withdraw from the race. This provision amends K.S.A. 25-306b and appears in Section 4.

i. The state board of canvassers would meet after each primary election on call by the Secretary of State instead of the third Tuesday. This makes the process the same for the primary as it is for the general. This provision amends K.S.A. 25-3205 and appears in Section 8.

Following is a section-by-section outline of the bill.

- Sec. 1 CEO sends publication to each candidate before general election
- Sec. 2 Candidates' write-in nominations based on registration totals certified to Secretary of State
- Sec. 3 Third parties must nominate candidate in only one or more statewide offices
- Sec. 4 Extends candidate withdrawal deadline after primary
- Sec. 5 CEO certifies voter registration totals only in even-numbered years
- Sec. 6 CEO notifies candidates of recount
- Sec. 7 CEO certifies abstract of vote to Secretary of State within two weeks
- Sec. 8 State board of canvassers meets after primary on call of Sec. of State
- Sec. 9 CEO certifies party affiliation totals only in even-numbered years
- Sec. 10 Deadline for party convention to nominate to fill vacancy in office
- Sec. 11 Deadline for party convention to nominate to fill vacancy in office of state board of education
- Sec. 12 Deadline for party convention to nominate to fill vacancy in candidacy
- Sec. 13 Deadline for party convention to nominate to fill vacancy in candidacy for state board of education

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Attachment 1-2



Johnson County
Kansas

Elgia C. Stevenson
Election Commissioner

TO: Senate Elections Committee Members

FR: Elgia C. Stevenson, Election Commissioner *Elgia*

RE: SB 232

DT: February 16, 1995

The amendments to this bill are excellent. Streamlining the dates for reporting and subsequent actions is progress!

There is one segment which I feel should be reviewed for logic.

The sentence on page 1, lines 27-30, should be edited to exclude mailings to committeeperson candidates. Copies of an official publication listing candidates and races have always been mailed to all candidates, with the exception of the committeeperson contests.

Using the local August 1994 election as an example, a mailing to "ALL candidates for ANY public office" would have cost \$338.53 (\$30.88 for all other candidates and \$307.65 for the committeepersons.) With no filing fee required for committee positions to develop offsetting revenue, the \$307.65 becomes a direct expense.

Is it possible that the '15 days before such election' mailing schedule would not serve an intended purpose? By that time, ballots are printed, federal service ballots are mailed, poll ballots are printed and machines are programmed.

The latest date to receive the official candidate list is the fortieth (40th) day before an election. Federal service ballots must be mailed by the forty-fifth (45th) day preceding a general election. Five days is not much of a window for mailing and return response.

It is the responsibility of the local election official to ensure the accuracy and completeness of the ballot. Conversely, those records are available in an election office for candidate review.

Although local in-house procedures are in place to ensure the accuracy of ballot, your consideration of the above may influence additional improvements in our election statutes.

Thank you.

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Attachment 2