

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Rep. Carol Dawson, at 9:00 a.m. on February 16, 1996 in Room 521-S of the Capitol.

All members were present except: All Present

Committee staff present: Dennis Hodgins, Legislative Research Department  
Carolyn Rampey, Legislative Research Department  
Jim Wilson, Revisor of Statutes  
Donna Lutjohann, Committee Secretary

Conferees appearing before the committee: Brad Bryant, Secretary of State's Office  
Rep. Kay O'Connor

Others attending: See attached list

Hearing on:

**SB 397: Change in voter registration on name or residence change within precinct**

Madam Chairman Dawson requested a briefing of the bill by Legislative Research staff member, Dennis Hodgins who explained the changes made to the bill.

Brad Bryant was recognized as a proponent of the bill. He testified that their office was against the bill until the change was made that would allow a registration card to be filled out instead of a separate affidavit if the voter's name has change or they have moved to a new residence within their precinct. See Attachment 1.

**The hearing on SB 397 was closed.**

Hearing on:

**HB 2274: Oath of public office; examination required**

Chairman Dawson recognized Rep. O'Connor. She testified that the intent of taking an examination on the Constitution would not qualify or disqualify a candidate for office. See Attachment 2.

**The hearing on HB 2274 was closed.**

The Committee's attention was drawn to HB 2784 regarding employment for state employees after an agency closure or job layoff due to budget reductions.

Rep. Cox made a motion to accept the Committee recommendation to amend the bill to clarify the definition of layed off and lay off pertaining to classified and unclassified state civil service employees. It was seconded by Rep. Benlon. The motion carried.

Rep. Yoh made a motion to recommend favorable passage of the bill as amended. It was seconded by Rep. Gilbert. The motion carried.

Committee discussion on HB 2780 took place. Due to lack of time, no action was taken.

On motion of Rep. O'Connor and seconded by Rep. Benlon, the minutes of January 30 and February 8, 1996, were approved.

The Madam Chair adjourned the meeting at 9:58 a.m. The next meeting is scheduled for February 20, 1996, in Room 521-S of the Capitol.

GOVERNMENTAL ORGANIZATION AND ELECTIONS  
COMMITTEE GUEST LIST

DATE: February 16, 1996

NAME	REPRESENTING
Brad Bryant	Sec. of state
Mary Bouchev	Intern of Rep. O'Connor

Ron Thornburgh  
Secretary of State



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## STATE OF KANSAS

### House Committee on Governmental Organization and Elections

#### Testimony on SB 397

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

February 16, 1996

Madam Chair and Members of the Committee:

Thank you for the opportunity to testify on SB 397. The Secretary of State's office supports accountability in the voting process, and if a person's qualifications to vote are in doubt, the voter should be required to provide information verifying his/her qualifications. This information could be supplied on either a registration card or a separate affidavit.

When SB 397 was heard in the Senate committee, our office opposed it as unnecessary. The bill as introduced required a voter who changed his/her name or address to complete an affidavit before voting, but the bill said that failure to complete the affidavit would not invalidate the ballot. We think such language would encourage voting without affidavits by persons whose qualifications were questioned. In such cases the election board judge could not determine whether the voter was qualified to vote in that precinct, nor would the county election officer have information with which to update the registration records for the next election.

We recommended the following amendments to the bill, which were adopted by the Senate:

a. The amended bill requires voters whose qualifications are in doubt to complete a new registration card instead of a separate affidavit. This is consistent with other recent changes in election laws leading to a simpler system where a single form, the registration card, is used to register to vote, to re-register, to change a name, or to change addresses. This is also consistent with changes brought about by the National Voter Registration Act, which we believe will soon be adopted for all elections in Kansas.

b. The amended bill allows election judges to challenge the vote of any person who fails or refuses to complete the registration card. This in itself will not invalidate any ballot; it will raise a question about the voter's qualifications so the issue can be resolved after the election. The challenge also provides the county election officer with the information necessary to update the voter's registration record in preparation for future elections.

We think SB 397 as amended by the Senate is an improvement on the original bill.

Thank you for your consideration.

KAY O'CONNOR  
REPRESENTATIVE, DISTRICT 14

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TOPEKA

HOUSE OF  
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ELECTIONS  
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KC AREA LOCAL CALL 782-5000

TESTIMONY BEFORE THE  
HOUSE GOVERNMENTAL ORGANIZATION and ELECTION COMMITTEE  
Regarding H.B. 2274  
Oath of Public Office, Examination Required

February 16, 1996

Madam Chair and Committee Members:

Thank you for the opportunity to speak to HB 2274.

An oath is to be taken as a serious statement of a person's true conviction and word of honor. When an oath of office is required by the State of Kansas as a promise to uphold the U.S. and Kansas constitutions, this should be taken as a serious matter - not just a pretty tradition.

I have taken a lot of teasing on this bill, however, this is a serious issue to me, and, I believe, should be to each and every one of us in the legislature.

There is a small fiscal note, but this could probably be reduced considerably by requiring a small testing fee and perhaps reducing the number of individuals required to take this oath. (i.e. notaries, office personnel, etc.)

The bill requires an open-book test on the "general knowledge" of these two documents. The test can be taken over and over to secure the highest possible score. There is no pass or fail. Candidates for elected offices will have their best grade made available to the public 14 days before the election. Non-elected office holders will simply have their test results kept in their personnel file.

HOUSE GOVT ORG & ELECTIONS  
February 16, 1996  
Attachment 2-1

Since our constitutions are documents to be held in high regard, as lawmakers, we should be most anxious to only be making laws that are indeed likely to be constitutional.

This test bill is not designed to embarrass or ridicule anyone. It is not to test academic skills. It is not to test your interpretation of law.

It is my intention to use this means to ensure a minimal understanding of these two documents so that we may more fully do our duty that we are swearing to do when we take that oath of office.

I will stand for questions at the pleasure of the Chair.

STATE OF KANSAS

RICHARD W. RYAN,  
DIRECTOR  
BEN F. BARRETT,  
ASSOCIATE DIRECTOR  
ALAN D. CONROY  
CHIEF FISCAL ANALYST



STAFF—  
LEGISLATIVE COORDINATING COUNCIL  
INTERIM COMMITTEES  
STANDING COMMITTEES  
LEGISLATIVE INQUIRIES

THE LEGISLATIVE RESEARCH DEPARTMENT

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PHONE: (913) 296-3181/FAX (913) 296-3824  
TOPEKA, KANSAS 66612-1504

January 4, 1995

Representative Kay O'Connor  
1101 North Curtis  
Olathe, Kansas 66061

Dear Representative O'Connor:

Arden Ensley contacted me on your behalf concerning your request for information of the number of individuals, elected and appointed under the laws of Kansas, who must take and subscribe an oath or affirmation before entering their office as specified in K.S.A. 54-106.

The following table indicates the number of employees which K.S.A. 54 -106 applies to:

**Kansas Association of Counties  
(105 Counties)**

Commissioners (average 4 per county)	420
Clerks	105
Treasurers	105
Register of Deeds	105
Sheriffs	105
County Attorneys	105
Total	<u><u>945</u></u>

**League of Kansas Municipalities  
(627 Incorporated Cities)**

Clerks	627
Deputy City Clerks	314
Mayors	627
Commissioners (average 5)	3,135
Attorneys	627
Treasurers	627
Judges	627
Police Chiefs	627
Total	<u><u>7,211</u></u>

**Kansas Association of School Boards**

Total Number of Employees 56,651

**Department of Administration  
(Division of Personnel Services)**

Classified and Unclassified Employees 51,000

Total 51,000

**Gubernatorial Appointments**

(appointments by Executive Order)  
(employees who obtain appointment certificates)  
(District Judges)

Total 4,000

**Secretary of State**

Temporary Election Board workers 10,000

Notaries Public 40,000

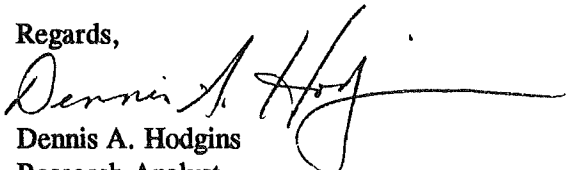
Total 50,000

**Grand Total** 169,807

These figures are estimates only; however, they will provide you with a fairly close estimate of the number of employees of the state who are subjected to the oath.

If you require any other information, please contact me.

Regards,

  
Dennis A. Hodgins  
Research Analyst

DAH/jl

cc: Arden Ensley, Revisor's Office

HOUSE GOVT ORG & ELECTIONS  
February 16, 1996  
Attachment 2-4