

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on February 7, 2000, in Room 529-S of the Capitol.

All members were present:

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Ken Wilke, Revisor of Statutes  
Graceanna Wood, Committee Secretary

Conferees appearing before the committee: Brad Bryant, Deputy Assistant, Secretary of State Office  
Kim Gulley, League of Kansas Municipalities

Others attending: See attached list

Chairman Hardenburger opened hearings on **SB 517—concerning legislative journals, and repealing the existing section,**

Brad Bryant, Deputy Assistant, Secretary of State Office, testified in support of **SB 517**, informing the Committee that this bill was proposed by the Secretary of State at the request of the Legislative Coordinating Council to reduce the excess inventory of Permanent House and Senate Journals. (Attachment #1)

Pat Seville, Secretary of the Senate, expressed concerns about having one copy stored. She said that she has been reassured by the Secretary of State's office that would be taken care of.

Chairman Hardenburger closed hearing on **SB 517.**

Senator Lawrence moved that the bill be approved favorably and recommended that it be placed on the Consent Calendar, seconded by Senator Becker. Motion carried.

Chairman Hardenburger opened the hearing on **SB 515 concerning elections, and repealing the existing section.**

Brad Bryant, Deputy Assistant, Secretary of State Office sponsor of the bill, testified that **SB 515** would accomplish two things. (1) The bill would change "19" to "20" on several voter application forms, and (2) would delete the specific reference to the Secretary of State's street address to reflect the recent relocation of the agency on voter registration application. (Attachment #2)

Chairman Hardenburger closed the hearing on **SB 515.**

Senator Lawrence moved that the bill be approved favorably and asked that it be placed on the Consent Calendar, seconded by Senator Becker. Motion carried.

Chairman Hardenburger opened the hearing on **SB 544 concerning elections; relating to recall petitions, and repealing existing section.**

Kim Gulley, Director of Policy Development & Communications, League of Kansas Municipalities, testified on **SB 544**. She informed the Committee the proposed language in the bill would limit the discretion of county attorneys with respect to recall petitions. She further informed the Committee that if the language was to be incorporated in the statute, a county attorney would be forced to approve recall petition even if the attorney knew the allegations in the petition to be false. (Attachment #3)

The Committee discussed the county or district attorney's role in determining sufficiency and legality of recall petition and the legal aspects of same.

CONTINUATION SHEET

Chairman Hardenburger closed the hearing on **SB 544**.

Meeting was adjourned at 2:15 p.m. Next meeting is scheduled for February 8, 2000.



Ron Thornburgh  
Secretary of State



2nd Floor, State Capitol  
300 S.W. 10th Ave.  
Topeka, KS 66612-1594  
(785) 296-4564

**STATE OF KANSAS**  
**Senate Committee on Elections and Local Government**

**Testimony on SB 517**

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

February 7, 2000

Madam Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of Senate Bill 517. This bill was proposed by the Secretary of State at the request of the Legislative Coordinating Council to reduce the excess inventory of Permanent House and Senate Journals.

Each year, the number of Journals to be printed is determined through consultation between the LCC, the Revisor and the Secretary of State. The Secretary of State's office distributes the books. Most are distributed to legislators, universities and libraries. The remainder are kept in inventory to be sold.

Under current law, the Secretary of State sells the Journals until the supply reaches 50 or fewer, whereupon we may give them away. We usually do not reach that point, so the inventory piles up over the years. This bill would allow our office to dispose of the Journals beginning one year after publication.

We urge the committee to report this bill favorably for passage. Thank you.

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STATE OF KANSAS



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TOPEKA

HOUSE OF  
REPRESENTATIVES

July 13, 1999

Ron Thornburgh, Secretary of State  
2nd Floor, Statehouse  
Topeka, KS 66612

Dear Secretary Thornburgh:

At the meeting of the Legislative Coordinating Council on July 13, 1999, the decision was made to request publication of 325 sets of the 1999 Permanent Journals of the House and Senate and to charge \$80.00 for the two volume set, plus tax and mailing.

It was also agreed that the Secretary of State's office should request legislation in the 2000 session to develop statutory changes detailing the disposition of excess remaining copies of past years' permanent journals.

If you have any questions, please contact me. I will get you copy of the LCC minutes when they are available so that you will have their direction in developing legislation to deal with your storage situation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janet E. Jones". The signature is written in dark ink and is positioned above the typed name.

Janet E. Jones  
*Chief Clerk of the House*

cc: Brad Bryant

Senate Elections & Local Government  
Date: 2-7-00  
Attachment # 1-2

Ron Thornburgh  
Secretary of State



2nd Floor, State Capitol  
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**STATE OF KANSAS**  
**Senate Committee on Elections and Local Government**

**Testimony on SB 515**

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

February 7, 2000

Madam Chairman and Members of the Committee:

Thank you for the opportunity to testify before the committee in support of Senate Bill 515. This bill was introduced at the request of the Secretary of State as a technical clean-up bill. It would accomplish two things.

1. First, the bill would change "19" to "20" in several places to bring two laws into Y2K compliance. Section 1 deals with the oath signed by a voter in a primary election whose qualifications to vote in the primary are challenged. Section 2 deals with a series of applications for presidential ballots by recently relocated residents.

We would recommend the committee consider adding the words "insert year" after each instance in Section 2 where the number "19" is crossed out. This might clarify what the voter is supposed to put in the blank.

2. Second, the bill would delete the specific reference to the Secretary of State's street address in K.S.A. 25-2309 to reflect our agency's recent relocation. This statutory provision was passed in 1996 as part of the implementation of the National Voter Registration Act. It tells voter registration applicants whom to contact if they believe someone has interfered with their right to register to vote.

We request the committee consider recommending this bill favorably for passage. Thank you.

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**Senate Elections & Local Government**  
**Date:** 2-7-00  
**Attachment #** 2



League of Kansas Municipalities

To: Senate, Elections and Local Government Committee

From: Kim Gulley, Director of Policy Development & Communications

Date: February 7, 2000

Re: Comments Concerning SB 544

Thank you for allowing me the opportunity to appear before you today with our comments concerning SB 544. The League is concerned that the language in SB 544 will lead to unintended and inappropriate consequences.

The proposed language in this bill would limit the discretion of county attorneys with respect to recall petitions. Should this language be incorporated into statute, a county attorney would be forced to approve a recall petition *even if the attorney knew the allegations in the petition to be false.*

Unfortunately, recall petitions are sometimes used as a political weapon. It is appropriate to allow the county attorney to review the sufficiency of such petitions in order to avoid the situation where publically elected officials and the taxpayers must bear the burden of clearly erroneous allegations.

Thank you for your time and I will be happy to answer any questions that you might have.

**Senate Elections & Local Government**  
**Date:** 2-7-00  
**Attachment #** 3