

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE.

The meeting was called to order by Chairperson Representative Don Myers at 3:30 p.m. on February 10, 2003 in Room 521-S of the Capitol.

All members were present except: Representative Yonally, Excused

Committee staff present: Ken Wilke, Revisor  
Dennis Hodgins, Research  
Kathie Sparks, Research  
Shirley Weideman, Secretary

Conferees appearing before the committee: Representative Frank Miller

Others attending: See attached list.

Chairman Myers opened the hearing on **HCR 5005 - Elections; Concurrent Resolution urging Congress to simplify the National Voter Registration Act of 1993 regarding removal of voters from voter registration lists.**

Chair Myers asked Ken Wilke, Revisor of Statutes, to explain the resolution, **HCR 5005.** He said that, currently, it is possible to remove someone from the voter registration list if they request in writing to be removed, if there is a court order for the name to be removed, or if there is notification from the Department of Vital Statistics that the person has died. If a person on the voter registration list moves outside the county, does not notify the county elections officer, and fails to respond to a notice sent by that officer, then a second notice must be sent to them. If no response is received after the second notice, then the officer must wait 45 days before putting that voter on the suspended list. Ken also said that this resolution would allow the county election officer to remove the name from the voter's registration list if the voter had not voted in 3 consecutive federal elections, and after having published their name in the newspaper if they missed the 2 preceding federal elections.

Representative Frank Miller appeared before the committee as a proponent for **HCR 5005.** He said that current law requires that the local elections official send out a letter to persons who do not vote in the previous two general elections, asking if their name and address is still current. This first letter is non-forwardable. If the first letter is returned, then a second forwardable letter is sent out with a self-addressed postage prepaid card included for the person to fill out indicating his/her new address. Representative Miller said that this procedure is very time consuming, costly, and in many cases inaccurate. He said this bill would greatly simplify the procedure for the removal of a name from the voter registration list by removing the name if the voter has not voted in 3 consecutive federal elections. (Attachment 1)

Representative Miller answered questions asked by committee members.

Chairman Myers closed the hearing on **HCR 5005.**

Committee Chair Myers said the committee would work **HCR 5005.**

Representative Huff moved to amend HCR 5005 by removing "only to" from line 36. Representative Wilson seconded the motion. The motion passed.

Representative Huff moved and the motion was seconded by Representative McLeland that HCR 5005 as amended be passed favorably from committee. Motion passed.

Chair Myers directed the committee's attention to the five sets of minutes they received for January 22, 27, 29 and February 3, 5. They can look them over, with approval scheduled at the next meeting.

The meeting was adjourned at 4:35 p.m. The next scheduled meeting is February 12.



C. FRANK MILLER  
REPRESENTATIVE, TWELFTH DISTRICT  
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ETHICS AND ELECTIONS  
LEGISLATIVE POST AUDIT

Honorable Representative Don Myers  
Chairman of the House Ethics and Elections Committee  
February 10, 2003

**Re: HCR5005 urging Congress to modify the provisions of the National Voter Registration Act of 1993 to simplify the procedure for removal of voters from the voter registration list.**

Current law requires the local elections official to send out a letter to persons who do not voted in the previous two general elections, asking if their name and address is still current. This first letter is non-forwardable. If the first letter is returned, then a second forwardable letter is sent out with a self addressed postage prepaid card included for the person to fill out indicating his/her new address. This procedure is very time consuming, costly, and in many cases inaccurate. In making campaign door-to-door visits, we have all had the experience of finding addresses where there was nothing but a vacant lot, or were told the person is deceased, or the person moved years ago.

HCR5005 asks Congress to change the law so that a persons name may be dropped from the registration list, if he/she does not vote in three consecutive general elections. The local election official is required to twice publish a notice in the local newspaper an ad alerting voters that if they have failed to vote in the last two general elections, they must vote in this next general election or their name will be dropped from the voter registration list. This notice is to be published the first time two weeks before the general election and the second time one week before the general election. If a persons name has been expunged from the voter list all he/she needs to do is again register to vote.

I strongly urge the committee to vote in support of HCR5005 in order to make our voter registrations lists more accurate and less time consuming and costly to manage. This resolution would also act as an incentive for voters to not miss general elections, thus increasing voter turnout.

Respectfully yours,

Representative Frank Miller

House Ethics and Elections  
2-10-03  
Attachment 1

----- Original Message -----

From: Charlotte Schmidt

To: Rep. Frank Miller

Sent: Monday, February 10, 2003 11:14 AM

Subject: Re: Hearing on HCR5005

Frank,

The only information I can give you is outlined in the Kansas Election Standards sent by the Secretary of State. Our problem is the purging of electors for mail ballot elections. Our hands are tied from purging unless we receive notification from another county, Secretary of State or from the elector themselves. After ballots, election cards or correspondence is returned to us, we must send a card and when we have no response we can only place a registered voter on the "inactive" list. They must remain there for two (2) general elections (National Elections) then if they fail to vote, they may be removed. To quote the Election Standards "Once registered, a voter's name may never be removed from the rolls for simple failure to vote." Our registered voter numbers do not reflect a true count for petitions, etc. Many voters have moved but may not re-register in another county in Kansas or may re-register in another state and we are not notified. An estimated number of notifications from other states for our county is 15 to 20 per year.

Hope this information is what you wanted.

Charlotte