

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 p.m. on February 16, 2004 in Room 526-S of the Capitol.

All members were present except:

Representative Bill McCreary- excused

Committee staff present:

Martha Dorsey, Legislative Research Department

Dennis Hodgins Legislative Research Department

Ken Wilke, Office of Revisor of Statutes

Shirley Weideman, Committee Secretary

Conferees appearing before the committee: None

Others attending: See Attached List.

Chairman Myers opened the hearing on **HB 2644 - Elections; mailing of ballots in certain elections.**

Ken Wilke, Revisor, was asked by Chairman Myers to explain **HB 2644.** He said that this bill makes a small change in K.S.A. 25-433 by inserting a provision that would make it unnecessary to mail out a ballot to an inactive voter who had not responded to a confirmation notice. Ken indicated that a voter could still request a ballot if they had not received one and were a qualified voter. He explained that the definition of "inactive voter" would be the same as that defined in K.S.A. 25-2316..... "if a voter has not voted in the general election for a specified period of time, the county election official sends out a notice requesting a confirmation, and then, if that is not verified, the voter is placed in the inactive file". Ken told the committee that lines 23 through 30 of the bill cut down on the number of ballots that need to be mailed out in certain elections. He said that the second part of the bill is an amendment for technical clean up of K.S.A. 25-2316c in subsection e, paragraph 4 ,by putting the number "4" in parenthesis. Ken responded to questions asked by committee members.

Brad Bryant, from the Secretary of State's Office also answered questions asked by committee members concerning the types of elections covered by this bill. He said that they are non-candidate, local issues elections, and are usually for school board bond issues, city sales tax increases, or a township mill levy. He indicated that the largest entity could be a county-wide election. To clarify the procedure to put a voter in the 'inactive' file with this bill, Mr. Bryant said it starts when the county election office receives some evidence that the voter has moved out of the county, usually by post office notification of returned mail. He told the committee that the county election office is required by the Motor Voter Act to send a confirmation notice to the voter, who must in turn return this confirmation to that office, verifying that he/she is still at that address. If the confirmation is returned to the election office as undeliverable, then the voter is placed in the "inactive" file. Mr. Bryant indicated that the County Election Clerks' Association believes that they could save a good deal of money by not having to send non-forwardable ballots to those 'inactive' voters. He also said that he is not a proponent for this bill, he is just explaining the bill to the committee. In response to a committee question, Mr. Bryant said that to be removed from the 'inactive list', the voter can vote in any election, return the confirmation notice or call the county election office.

The hearing on **HB 2644** was closed by Chairman Myers and he said the committee would work the bill.

Representative Sharp moved and Representative Wilson seconded the motion to table HB 2644. With the vote of 8 ayes and 7 nays, the motion carried.

Chairman Myers brought the committee's attention to the Ethics and Elections Committee minutes for January 21, 26 & 28 and February 2, 4, 9, & 11. Representative Toelkes moved that the minutes be approved. Representative Miller seconded the motion. The motion passed.

The meeting adjourned at 4:05 p.m. The next meeting is February 18 at 3:30 p.m.

HOUSE ETHICS AND ELECTIONS COMMITTEE

GUEST LIST      DATE: February 16, 2004

Your Name	Representing
Brad Bryant	Sec. of State
Bryan Caskey	"