

MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on January 27 in Room 519-S of the Capitol.

All members were present except:

Representative Barbie Craft- excused
Representative Melody Miller- excused

Committee staff present:

Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

Rep. Frank Miller
Brad Bryant, Office of the Secretary of State
Brian Newby, Johnson County

Others attending:

See attached list.

Chairman Vickrey introduced Rep. Williams to the members of the committee. Rep. Williams will be temporarily serving on the committee until Rep. Miller's return.

Bill Introductions

Chairman Vickrey requested a bill amending city annexation law dealing with unilateral annexation. The proposed legislation would require cities to consider 16 different factors when annexing land unilaterally.

Without objection, the bill will be adopted as a committee bill.

Chairman Vickrey said that Rep. Wilk requested a bill amending a law creating a joint water district involving the City of Lansing and Delaware Township, the Lan-Del Water District in Leavenworth County.

Without objection, the bill will be adopted as a committee bill.

Rep. Kirk requested a bill relating to campaign finance and requiring candidates spending at least \$100.00 on their campaigns to file a campaign finance report. The proposed legislation would add precinct committeemen and committeewomen to the definition of "Local Office."

Without objection, the bill will be adopted as a committee bill.

HB 2083 Consolidation of Topeka and Shawnee County

Rep. Lane made a motion to amend the bill to clarify language and to also include a "severability clause." A balloon amendment was distributed (Attachment 1). Rep. Goico seconded the motion. The motion carried. HB 2083 is amended.

Rep. Lane distributed copies of a document he received from the Greater Topeka Chamber stating their 2005 Legislative Priorities (Attachment 2). He explained that listed as a priority is the recommended passage of legislation to allow the consolidation of Topeka/Shawnee County, should the citizens approve a consolidation plan.

Rep. Lane made a motion for the favorable passage of HB 2083 as amended.

Rep. Goico made a substitute motion to further amend the bill to require two public hearings and two publications. Rep. Lane seconded the motion. Motion carried. HB 2083 is further amended.

Rep. Lane made a motion for the favorable passage of HB 2083 as amended. Rep. Goico seconded the motion. Motion carried. HB 2083 as amended is passed unanimously.

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on January 27 in Room 519-S of the Capitol.

Chairman Vickrey opened the hearing on:

HCR 5004 **Elections; concurrent resolution urging Congress to simplify the National Voter Registration Act of 1993 regarding removal of voters from voter registration lists**

Rep. Frank Miller testified as a proponent of the bill (Attachment 3). He said that the bill urges Congress to change the way a voter's name is removed from the Voter Registration List. He explained that the present system is time consuming, costly, and ineffective.

Brad Bryant, Office of the Secretary of State, testified in support of the bill (Attachment 4). He said the bill's intent is to express to Congress the difficulties experienced by those who administer the National Voter Registration Act's list maintenance provisions and to seek remedy through federal legislation.

Brian Newby, Johnson County Election Office, testified in support of the bill (Attachment 5). He said the resolution eases the administrative burden of managing records from inactive voters. He explained that the resolution supports the benefits of having a voter registration database that accurately reflects, to the best extent possible, current voters in the county.

Chairman Vickrey closed the hearing on **HCR 5004**.

HCR 5004 **Elections; concurrent resolution urging Congress to simplify the National Voter Registration Act of 1993 regarding removal of voters from voter registration lists**

Rep. Yonally made a motion for the favorable passage of HCR 5004. Rep. Lane seconded the motion. Motion carried. HCR 5004 is passed out of committee.

Rep. Faust-Goudeau and Rep. Sawyer asked to be recorded as "no" votes.

HB 2041 **Campaign finance; use of unexpended campaign funds**

Rep. Yonally made a motion to amend HB 2041 by eliminating the ability to transfer funds prospectively between any two campaigns and to instead, allow the transfer of funds between only certain campaign groupings. Rep. Lane seconded the motion. The motion carried. HB 2041 is amended.

Rep. Holland made a motion for the favorable passage of HB 2041 as amended. Rep. Swenson seconded the motion. The motion carried. HB 2041 as amended is passed out of committee.

The meeting adjourned at 4:50 p.m.

Next meeting is scheduled for February 1, 2005.

Submitted by:
Rep. Lane
Balloon Amendment

HB 2083

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1 powers in the manner and subject to the limitations provided by article
2 12 of section 5 of the constitution of the state of Kansas and other laws
3 of this state.

4 (m) The governing body of the consolidated city-county may create
5 special service districts within the city-county and may levy taxes for serv-
6 ices provided in such districts.

7 (n) Changes in the form of government approved by the voters in
8 accordance with the consolidation plan are hereby declared to be legis-
9 lative matters and subject to initiative and referendum in accordance with
10 K.S.A. 12-3013 et seq., and amendments thereto.

11 Sec. 7. (a) The governing body of a consolidated city-county may not
12 annex any land located outside the county.

13 (b) The governing body of a consolidated city-county may not initiate
14 annexation procedures of land located within the county, but may annex
15 land upon petition of the owners of any such land.

16 Sec. 8. All costs incurred or authorized by the consolidation com-
17 mission and all other costs incurred by the city and county pursuant to
18 this act shall be paid by the city and county.

19 Sec. 9. (a) Until a special election is held at which a final plan is
20 submitted for approval to the electors or until a final plan which does not
21 recommend consolidation of the city and county is adopted by a consol-
22 idation commission, the governing body of any city appointing members
23 of a consolidation commission to consider the consolidation of such city
24 with the county in which such city is located may not initiate pursuant to
25 K.S.A. 12-520, and amendments thereto, annexation procedures of land
26 located within the county, but may annex land upon petition of the owners
27 of any such land.

28 (b) As used in this section, "city" means any city located within
29 Kansas.

30 (c) The provisions of this section shall expire on June 30, 2006.

31 Sec. 10. This act shall take effect and be in force from and after its
32 publication in the Kansas register.

which is the subject of a study considering

Submitted by:

Rep. Lane

Balloon Amendment

House Gov. Org. & Elections
Date: 1-27-05
Attachment # 1

Economic Development Incentives

Incentives for business expansion and development, provided by the state, assist the private sector in creating jobs for Kansas residents. The Greater Topeka Chamber of Commerce believes that to keep existing business and industry growing and to compete with surrounding states for new investment, Kansas must maintain its incentive package, including tax credits and tax abatements, while continually evaluating and upgrading the incentive program to compete with comparable states.

Heartland Park

The Greater Topeka Chamber of Commerce supports a public/private partnership to complete improvements to the Heartland Park racing facility and grounds by requesting legislative assistance from the State of Kansas. Heartland Park racing facility is a Topeka resource that can attract major racing events to Kansas creating growth in the economy and an increased tax base. The citizens of Topeka have committed through the City of Topeka to provide \$5 million to this end; the State of Kansas is being asked to participate in insuring this Topeka, Kansas asset reach its full potential to draw visitors and racing enthusiasts to Kansas.

Economic Development Funding

The Greater Topeka Chamber of Commerce believes the Kansas lottery/gaming dollars should remain earmarked for economic development. The Economic Development Initiative Fund (EDIF) has played an integral role in the growth of the state's economy. These funds have been used locally to train and retrain workers and to assist with expansions and locating new business and industry in Topeka/Shawnee County. Eliminating or reducing funding for economic development during a downturn in the economy will serve to hinder recovery which in the long term will harm the state's ~~interest in growing jobs and investment.~~

Consolidation of Topeka/Shawnee County

The citizens of Topeka and Shawnee County voted in the November, 2004 general election to pursue a plan to consolidate the governments of the City of Topeka and Shawnee County. In order for consolidation to occur, the State of Kansas must provide enabling legislation to allow for consolidation. The Greater Topeka Chamber of Commerce requests that the state move forward on passage of legislation to allow the consolidation of Topeka/Shawnee County, should the citizens approve a consolidation plan.

STATE OF KANSAS

C. FRANK MILLER
REPRESENTATIVE, TWELFTH DISTRICT
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ELK COUNTIES
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: EDUCATION
HEALTH AND HUMAN
SERVICES
ETHICS AND ELECTIONS
LEGISLATIVE POST AUDIT

Thursday, January 27, 2005

Honorable Representative Jene Vickrey, Chairman
Members of the House Governmental Affairs and Elections Committee

It is my pleasure to stand before you today in support of HB 5004.

This is the same bill HCR 5005 that passed the House and the Senate in 2004, but at the very end of the session was made a gut-and-go in order to provide a second opportunity for the Senate and the House to vote again on the Marriage Amendment.

Nationally we continue to read in the press of numerous accusations of voter fraud from both of our major political parties, so I encourage you to join me in sending this strong message to both houses of the Federal Government as well as the President of the United States.

In summary, this bill urges Congress to change the way a voter's name is removed from the Voter Registration List. The present system is time consuming, costly, and ineffective. The present Motor-Voter law requires the County Election Officer to do the following: After three general elections one non-forwardable letter is sent to the voter. If no response is received then a second forwardable letter with included self-addressed return card, postage prepaid, is also sent. If neither of these bring any result, the name is put on the inactive list. But if that person shows up at the voting station he can vote a Provisional vote. How will this vote will be treated?

All legislators know too well the frustration of going door-to-door, and finding vacant homes, lots with no house, homes where we were told the person we are looking for died eons ago, etc, etc. Also we have seen that many times at least 10 to 15 percent of the letters we mailed out are returned, which adds up to thousands of dollars of wasted campaign money.

HB 5004 provides for the following:

1. Any voter that does not vote in 3 consecutive general elections (6 years), his or her name may be removed from the Voter Registration List
2. However, before each general election two notices must be put into the Newspaper; the first notice two weeks before the election and the second one week before the pending general election. The notice would read, "If you have not voted in the last two general elections you must vote in the coming election or your name will be stricken from the voter list.
3. The voter may re-register following current laws for registration if he or she does miss voting on the third election.

I urge the committee to support this bill.
Thank you Mr. Chairman and I stand for questions.

Testimony submitted by

A handwritten signature in black ink, appearing to read 'Frank Miller'. The signature is fluid and cursive, with a large initial 'F'.

Representative Frank Miller

House Gov. Org. & Elections
Date: 1-27-05
Attachment # 3

RON THORNBURGH
Secretary of State



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STATE OF KANSAS
House Committee on Governmental Organization and Elections

Testimony on HCR 5004

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

January 27, 2005

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of House Concurrent Resolution 5004. This resolution urges Congress to amend the National Voter Registration Act of 1993 (NVRA) to allow states and localities to purge voter registration lists of names of voters who have not voted in up to three consecutive general elections. We support this resolution as a means of maintaining cleaner voter registration lists, just as we supported Kansas' law before enactment of the NVRA, which allowed purging of voters' names for missing two general elections.

We support the main purpose of the NVRA, which is to increase voter registration opportunities. The NVRA has succeeded in that. But the NVRA transferred much of the responsibility for tracking voters' address changes from the voters themselves to state and county government. This includes keeping track of address changes, eliminating duplicate registrations, and maintaining accurate voter histories. The procedures required by the NVRA are time consuming, expensive and inexact.

Various bills have been proposed in Congress to amend the NVRA, but as yet no significant legislation has passed. We support HCR 5004 in its intent to express to Congress the difficulties experienced by those who administer the NVRA's list maintenance provisions and to seek remedy through federal legislation.

Thank you for your consideration.

House Gov. Org. & Elections
Date: 1-27-05
Attachment # 4

Johnson County Election Office



Brian D. Newby
Election Commissioner

TESTIMONY BEFORE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

Thursday, January 27, 2005

Thank you for the opportunity to speak regarding HCR 5004. On behalf of the Johnson County Election Office, I express **continued support** of HCR 5004, a resolution regarding the procedure for removal of inactive voters from voter registration lists.

We believe this resolution eases the administrative burden of managing records from inactive voters. Further, the resolution supports the benefits of having a voter registration database that accurately reflects, to the best extent possible, current voters in the county.

We ask that you support HCR 5004.

Thank you.

House Gov. Org. & Elections
Date: 1-27-05
Attachment # 5