

MINUTES OF THE HOUSE ELECTIONS AND GOVERNMENTAL ORGANIZATION COMMITTEE

The meeting was called to order by Chairman Mike Burgess at 3:30 P.M. on January 16, 2007 in Room 231-N of the Capitol.

All members were present except:

Representative Mike Peterson- excused

Committee staff present:

Martha Dorsey, Legislative Research Department

Matt Spurgin, Legislative Research Department

Mike Heim, Revisor of Statutes Office

Maureen Stinson, Committee Assistant

Conferees appearing before the committee:

R. J. Wilson, Crawford County Clerk

Ron Thornburgh, Secretary of State

Don Merriman, KS County Clerks & Elections Officials Assoc.

Jamie Shew, Douglas County Clerk

Others attending:

See attached list.

Bill Requests

Joan Wagon, Secretary, KS Department of Revenue, and Chair, KS Advisory Council on Intergovernmental Relations (KACIR), requested a committee bill that would remove the remaining barriers to consolidation and provide incentives for further consolidation.

Brad Bryant, Secretary of State, requested committee bills relating to:

voter registration cleanup

write-in candidacy

petition review

Stuart Little, Johnson County Government, requested a committee bill to change the current time-limit for a unit of government to respond to a petition from five calendar days to five business days.

The Committee approved the requests.

HB 2019 Advance voting; satellite voting sites

Chairman Burgess opened the hearing on **HB 2019**.

R. J. Wilson, Crawford County Clerk, testified in support of **HB 2019** (Attachment 1).

Ron Thornburgh, Secretary of State, testified in support of **HB 2019** (Attachment 2).

Don Merriman, Saline County Election Officer and County Clerk, testified in support of **HB 2019** (Attachment 3).

Jamie Shew, Douglas County Clerk, testified in support of **HB 2019** (Attachment 4).

Written testimony in support of the bill was submitted by Brian Newby, Election Commissioner, Johnson County (Attachment 5).

Chairman Burgess closed the hearing on **HB 2019**.

HB 2019 Advance voting; satellite voting sites

Rep. Sawyer made a motion for the favorable passage of **HB 2019**. Rep. Lane seconded the motion. The motion carried.

The meeting adjourned.

The next meeting is scheduled for Wednesday, January 17, 2007.

Crawford County Clerk
R. J. Wilson



Testimony in support of House Bill 2019
Provided by R.J. Wilson, Crawford County Clerk

Mr. Chairman Burgess and Honorable members of the House Governmental Organization and Elections Committee:

Thank you for this opportunity to submit testimony today in support of House Bill 2019. Four years as a member of the House Elections Committee (now GO&E) provided me an invaluable opportunity to learn about elections and campaign finance and I will always be eternally grateful for the experience and the friendships fostered during my years in the Kansas Legislature.

As the administration of elections becomes more scrutinized through the final implementation of the Help America Vote Act it becomes more and more important for local election officials to have additional tools at their disposal to assure that every vote is counted and every voice is heard.

I am conferring with you today to ask for your favorable consideration in providing a powerful and effective tool to my office, and the 100 offices like mine currently not allowed to provide in-person advance voting away from the county courthouse, as we prepare for the 2008 Primary and General elections. Your expansion of Satellite Advance Voting will be of great service to the taxpayers and the voting public of Kansas.

The implementation of electronic voting equipment in every polling place in the state has proven expensive. In Crawford County, the cost of technology is at a minimum \$10,200 per polling place. The cost at an average polling place is in our county is \$25,800. This cost is forcing many counties to consider consolidation of polling places. Crawford County has completed its consolidation (50 polling places to 16) and it is clear that polling places on Election Day have become more congested and there is potential for longer wait times for the voting population. No matter how hard an election official tries to alleviate these problems

Testimony in support of HB 2019
Page 1 of 2

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House Elections & Gov. Org.
Date: 1-16-2007
Attachment # 1

Crawford County Clerk
R. J. Wilson

there is simply a finite number of people you can get in the door and back out the door of a polling place before congestion becomes a problem. We plan to add additional boards, more technological assistance, improved polling place design, and a better business process for addressing voters' needs; but in the end our consolidated polling places can only absorb so many people in a limited space in a short amount of time. Furthermore, almost 60% of our county's population resides within, or around Pittsburg, 20 minutes away from the County Courthouse, the only place in our county currently allowed to offer in person advance voting. Satellite Advance Voting will be a useful tool in coping with the size of the community and its distance from the County Seat.

Your committee's thoughtful consideration of expanding satellite advance voting will allow the voting population a more convenient opportunity to vote in advance of the election. More advance voters means less stress for our consolidated polling places on Election Day, and less stress on the polling place equates to a better experience for the voter and more successful administration of the election. For this reason I can not stress enough the importance of more opportunities for advance voting, either by mail or by satellite, for the voting population of our state. Your decisions on this bill will have a profound and lasting positive impact on the administration of elections in this state.

I believe that the fiscal note for this legislation will be manageable for the counties and I believe the rewards will greatly outweigh any potential negatives as we bring better service to the people of Kansas. Thank you for your potentially favorable consideration of HB 2019 and thank you again for the opportunity to confer today.

Best wishes:



R.J. Wilson
Crawford County Clerk

RON THORNBURGH
Secretary of State



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STATE OF KANSAS
House Committee on Elections and Governmental Organization

Testimony on House Bill 2019

Ron Thornburgh, Secretary of State

January 16, 2007

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 2019. This bill will expand voting opportunities for Kansans by allowing more counties to establish satellite advance voting sites. Current law restricts satellite advance voting to those counties with populations greater than 250,000—Johnson and Sedgwick Counties.

I have frequently proposed and supported legislation to expand voting opportunities, including proposing the original bill to adopt advance voting in 1995. It is imperative that any expansion in voting opportunities be considered only if it can be accomplished with adequate security measures to protect the integrity of the electoral process. The experience we have with satellite voting since its inception in 1999 has proven that it can be done in a secure fashion, and recent technological advancements will enable the effective expansion of satellite advance voting as proposed in this legislation.

I support this expansion of satellite advance voting for the following reasons:

- It represents an expansion of a program that has already proven to be popular among voters.
- It offers voters additional opportunity and convenience, thereby encouraging higher turnout.
- It can be done without compromising the security or integrity of the process.
- It will help alleviate the loss of polling places that has occurred in recent years as a result of the Help America Vote Act.

I recommend the committee report House Bill 2019 favorably for passage. Thank you for your consideration.

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Attachment # 2



Saline County Clerk

Donald R. Merriman - County Clerk

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January 16, 2007

Honorable Mike Burgess
Chairperson – Elections and Governmental Organization Committee
And Committee Members

Re: H.B. #2019

Chairman Burgess and Committee Members:

As Saline County Election Officer and County Clerk, I am supportive of H.B. #2019 to allow any county to plan for and offer Satellite Advance Voting Sites. I am always in favor of making voting more available and accessible for the voting public. Currently, our in-office Advance Voting is proving more popular each year.

This amendment of K.S.A. 2006 Supp. 25-1122, also, has support of the Kansas County Clerks' and Election Officials' Association and members of the Election Committee of the Association.

Thank you to Representatives Burgess, Powers, and Sawyer for the introduction of this bill and thank you for the time allotted today.

Sincerely,

A handwritten signature in black ink that reads "Donald R. Merriman". The signature is written in a cursive style.

Donald R. Merriman
Saline County Election Officer and County Clerk
(Chair of the Election Committee – KCCEOA)

DRM:ll

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Date: 1-16-2007
Attachment # 3



JAMIE SHEW
DOUGLAS COUNTY CLERK

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Marni D. Penrod
Chief Deputy Clerk

Keith D. Campbell
Deputy Clerk-Elections

House Committee on Elections and Governmental Organization

Testimony on HB 2019: Satellite Advance Voting

January 16, 2006

Jamie Shew, Douglas County Clerk

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of satellite advance voting for all Kansas counties as found in the language of HB 2019. This bill represents a great opportunity for the citizens of Douglas County to increase their access to the democratic process. Advance voting has become an increasingly popular method for citizen participation in elections. During the 2004 General Election, 10,020 citizens advance voted in Douglas County, representing 19.6% of the total cast votes. Of these, 4,661 were in-person advance voters. The 2004 in-person advance totals surpass the *total* number of advance votes cast in 2000, when 4,421 citizens advance voted. The recent 2006 general election had 16% advance turnout, compared with the 9% advance turnout in 2002. All indications exhibit participation in advance voting will continue to increase in future elections.

The current law restricts any form of satellite advance voting in Douglas County. As a result, my ability to respond to citizens' needs and increase their opportunities for access to the polls is limited. While most testimonies will concentrate on the impact of advance satellite voting in larger elections, the positive impact for the citizens of my county are best highlighted in an example involving a smaller election.

On December 22, 2005, Baldwin City in Douglas County held a very important special election regarding Sunday liquor sales in response to a citizen petition. The timing of the election caused concern about voter participation. Under the current law I could not offer in-person advance voting in Baldwin City, which may have increased opportunities for citizen participation. Therefore, citizens who live in or around Lawrence have additional access to voting that can not be offered to the other citizens in the county. By approving satellite advance voting, you will give me the tools to offer equal voting access to *all* voters in Douglas County.

In addition to equal access within the county, approving satellite advance voting provides equity throughout the state of Kansas. By allowing only two counties the privilege of additional access to the polls, citizens in the other counties are denied the same right. While offering in-person advance voting may not be the choice for every county, it should at least be an option for those of us who want to meet citizen needs and increase opportunities for their involvement in the elections process.

Thank you for your time, and I am available to stand for any questions.

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Date: 1-16-2007
Attachment # 4

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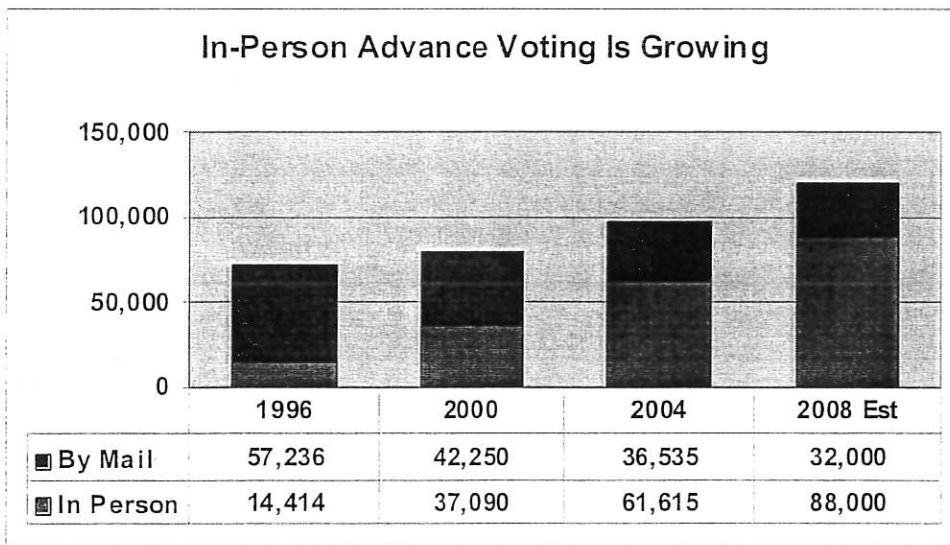
**TESTIMONY BEFORE THE HOUSE ELECTIONS AND GOVERNMENTAL ORGANIZATION
COMMITTEE**

Tuesday, January 16, 2007

Thank you for the opportunity to provide comments in support of HB 2019's satellite advance voting provisions.

Although Johnson County has had advance voting for several years, this bill impacts our residents and voters as well in a way I will explain in a moment.

First, however, let me provide a brief history of the impact of advance voting for our presidential elections. The chart below shows the growth of advance voting since 1996. We have seen the number of advance voters in person increase dramatically and we expect continued growth in 2008.



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We have utilized 3 advance voting locations in each gubernatorial and presidential primary and general election.

Securing polling locations is a major challenge for us. Schools have security apprehensions, churches can be seen by voters as having conflicts of interests in some races, and counties generally do not have funds to pay for polling location rental. So, the movement to advance voting is important as preparation for the potential of having fewer polling locations available on election day.

In the future at your convenience, I would be glad to go through a deep dive of the various benefits and challenges of advance voting, although it is fair to simply say that advance voting has been a major success in Johnson County.

Beyond supporting other counties by testifying, I also think there is a fairness aspect that impacts Johnson County races and should be considered by the Committee as another reason to allow statewide advance voting.

Often, races cross county boundaries. For instance, my particular U.S. Congressional Representative has part of his district in Wyandotte and Douglas counties. It's possible that advance voting in Johnson County, but not in Douglas County, creates an unfair advantage or disadvantage for particular candidates because the voting processes are not uniform between the counties. Allowing advance voting universally would further ensure a level playing field for all candidates in races that cross county lines.

Please count Johnson County's Election Office as a strong proponent for seeing other counties have satellite advance voting options.

Thank you.

Brian D. Newby