

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 29, 2007 in Room 231-N of the Capitol.

All members were present except:

Representative Melody McCray-Miller- excused
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:

Senator Ralph Ostmeyer
Representative Gary Hayzlett
Representative Mark Treaster
Brad Bryant

Others attending:

See attached list.

Bill Requests

Chairman Burgess requested a committee bill concerning filing county budgets electronically.

Randall Allen, Kansas Association of Counties, requested a committee bill to allow the Board of Sherman County Commissioners to be elected at-large.

Representative Sawyer requested a committee bill concerning elections.

The Committee approved the requests.

SB 36 Unification of Tribune and Greeley county; procedure; cleanup amendments

Chairman Burgess opened the hearing on **SB 36**.

Senator Ralph Ostmeyer testified in support of the bill (Attachment 1).

Written testimony in support of the bill was submitted by Representative Gary Hayzlett (Attachment 2).

Chairman Burgess closed the hearing on **SB 36**.

SB 36 Unification of Tribune and Greeley county; procedure; cleanup amendments

Representative Sawyer made a motion for the favorable passage of SB 36 and asked that it be placed on the Consent Calendar. Representative Pottorff seconded the motion. The motion carried.

HB 2094 Elections; primary elections; precinct committeeman and committeewoman

Chairman Burgess opened the hearing on **HB 2094**.

Representative Mark Treaster testified in support of the bill (Attachment 3).

Brad Bryant, Assistant Deputy, Secretary of State, testified in support of the bill (Attachment 4).

Chairman Burgess closed the hearing on **HB 2094**.

CONTINUATION SHEET

MINUTES OF THE House Elections and Governmental Organization Committee at 3:30 P.M. on January 29, 2007 in Room 231-N of the Capitol.

The meeting was adjourned.

The next meeting is scheduled for Tuesday, January 30, 2007.

STATE OF KANSAS

RALPH OSTMEYER
SENATOR, 40TH DISTRICT
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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

VICE-CHAIR: NATURAL RESOURCES
MEMBER: AGRICULTURE
EDUCATION
FEDERAL AND STATE AFFAIRS
JOINT COMMITTEE ADMINISTRATIVE
RULES AND REGULATIONS

Chairman Burgess, and members of your committee, thank you for this opportunity to testify in support of SB 36 which addresses City-County Consolidation for Greeley County.

SB 36 is the same bill as the 2006 - HB 2809 which passed both houses unanimously. HB 2809 was amended on the Senate floor to include a more aggressive state wide Consolidation Policy and was held hostage in Conference Committee.

I received permission to use SB 164 as a gut and go in Elections and Local Government to get HB 2809 passed. There were mistakes made during this process. A Revisor has corrected some minor mistakes and I amended this bill with language to correct when bill would go into effect. I would ask the committee to act favorably on SB 36 and put on Consent Calendar. Thank you for the opportunity to testify.

House Elections & Gov. Org.
Date: 1-29-2007
Attachment # 1

STATE OF KANSAS



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIR: TRANSPORTATION
MEMBER: ECONOMIC DEVELOPMENT/TOURISM
TAXATION

"Written Only"

GARY K. HAYZLETT
REPRESENTATIVE, 122ND DISTRICT
GREELEY, HAMILTON, KEARNY,
SCOTT, & PARTS OF
HASKELL & FINNEY COUNTIES
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STATE HOUSE—ROOM 115-S
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**Testimony for the
House Election and Government Organization Committee
Presented January 29, 2007, in Support of SB 36**

Chairman Burgess,

Thank you for letting me offer testimony in strong support of SB 36. This is an issue I have worked very hard on with the cooperation and help from the Cities of Tribune and Horace and the County of Greeley. This bill will allow the clean-up and passage of the statute to allow the unification process to be complete. SB 36 is just making corrections to minor errors in last year's legislation.

This is a very important bill for Greeley County. I hope you view this as a necessary clean-up bill and pass it favorably out of your Committee

A handwritten signature in cursive script that reads "Gary".

Gary Hayzlett
Representative, 122nd District

House Elections & Gov. Org.
Date: 1-29-2007
Attachment # 2

STATE OF KANSAS

MARK TREASTER

REPRESENTATIVE, 101ST DISTRICT

COMMITTEE ASSIGNMENTS
TAXATION
TRANSPORTATION
ECONOMIC DEVELOPMENT
WILDLIFE & PARKS
RULES AND REGULATIONS



TOPEKA

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Testimony for HB 2094

Chairman Burgess and members of the elections and government organizations committee, thank you for the opportunity to testify before you today in support of the proposed changes in statute on primary elections. I will keep my testimony short but will be glad to answer any questions the members might have because I have first hand experience with the current law. In the 2006 election cycle, the 101st district which I represent saw this statute utilized in an attempt to get a candidate on the ballot in the general election. This attempt exposed a serious flaw in how the number of votes to get on the ballot by a write-in from the primary is determined. The number of votes needed could not be determined and we will never know what the number of votes needed to be successful was. This number was to be based on 10% of the number of votes cast in the district in the last election for Secretary of State. The votes from the 2002 election had been destroyed by statute and only the votes cast on election day could be determined with certainty. These votes were recorded by precinct. All advance ballots and provisional ballots were recorded by county, not by precinct or representative district. Since there are three and one-half representative districts in Reno County, there was no way to separate those votes into each district. To say this caused a great deal of angst to all involved is an understatement. I do not believe that we should have in state statute a number that can not be determined. I support the changes proposed by Secretary of State Ron Thornburgh because it will enable his office to give a quick, accurate number to any individual in the future that wishes to utilize this method. Thank you for your time and I would be glad to answer any questions.

House Elections & Gov. Org.
Date: 1-29-2007
Attachment # 3

RON THORNBURGH
Secretary of State



Memorial Hall, 1st Floor
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STATE OF KANSAS
House Committee on Elections and Governmental Organization

Testimony on House Bill 2094

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

January 29, 2007

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 2094. This bill was proposed by the Secretary of State to change the formula for calculating the number of write-in votes needed by a candidate in a partisan primary to qualify for the general election ballot. The bill arises from a situation that occurred in the 2006 election.

Current law requires a write-in candidate to receive votes in the primary equal to 10% of the total votes cast for the office of Secretary of State at the last general election. House Bill 2094 proposes to change the formula to 10% of the current total of the registered voters in the district who are affiliated with the candidate's party. This formula is consistent with other ballot access rules in Kansas law for partisan candidates who file by petition rather than fee and for independent candidates who file by petition.

The controversy in the 2006 Kansas House District 101 Republican primary resulted from our office's inability to accurately calculate the write-in requirement due to the way election results are reported by most counties. Advance ballots and provisional ballots were not allocated among the precincts; rather, they were reported as countywide totals. Reno County has parts of five legislative districts, and we were unable to accurately allocate the advance and provisional vote totals by legislative district to determine 10% of the votes cast for the office of Secretary of State.

We have provided a photocopy of several pages from the Reno County election abstract, a chart showing a cross section of House districts, and a House district map.

The change proposed by House Bill 2094 has two main benefits:

- It is a firm number that can be accurately calculated, eliminating confusion.
- It is fair to candidates because the number of votes required is tied to the pool of voters.

We recommend the committee report House Bill 2094 favorably for passage. Thank you for your consideration.

COMPARISON OF CURRENT WRITE-IN LAW AND PROPOSED CHANGE

DISTRICT	10 PERCENT KSSOS VOTE	10 PERCENT VR DEMOCRAT	10 PERCENT VR REPUBLICAN
<i>KS HOUSE 003</i>	535	454	422
<i>KS HOUSE 006</i>	753	356	770
<i>KS HOUSE 009</i>	657	317	651
<i>KS HOUSE 022</i>	616	370	502
<i>KS HOUSE 024</i>	735	413	582
<i>KS HOUSE 037</i>	280	451	120
<i>KS HOUSE 051</i>	845	363	741
<i>KS HOUSE 058</i>	329	459	211
<i>KSHOUSE 069</i>	553	317	530
<i>KS HOUSE 081</i>	652	300	624
<i>KS HOUSE 083</i>	794	318	793
<i>KS HOUSE 085</i>	765	331	792
<i>KSHOUSE 089</i>	447	536	256
<i>KS HOUSE 090</i>	693	279	671
<i>KS HOUSE 095</i>	343	274	295
<i>KS HOUSE 101</i>	573	270	852
<i>KS HOUSE 118</i>	688	256	807



Kansas House Districts

Sub. HB 2625

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Plan: Reconciliation Amendment for KLRD TR
Map Features

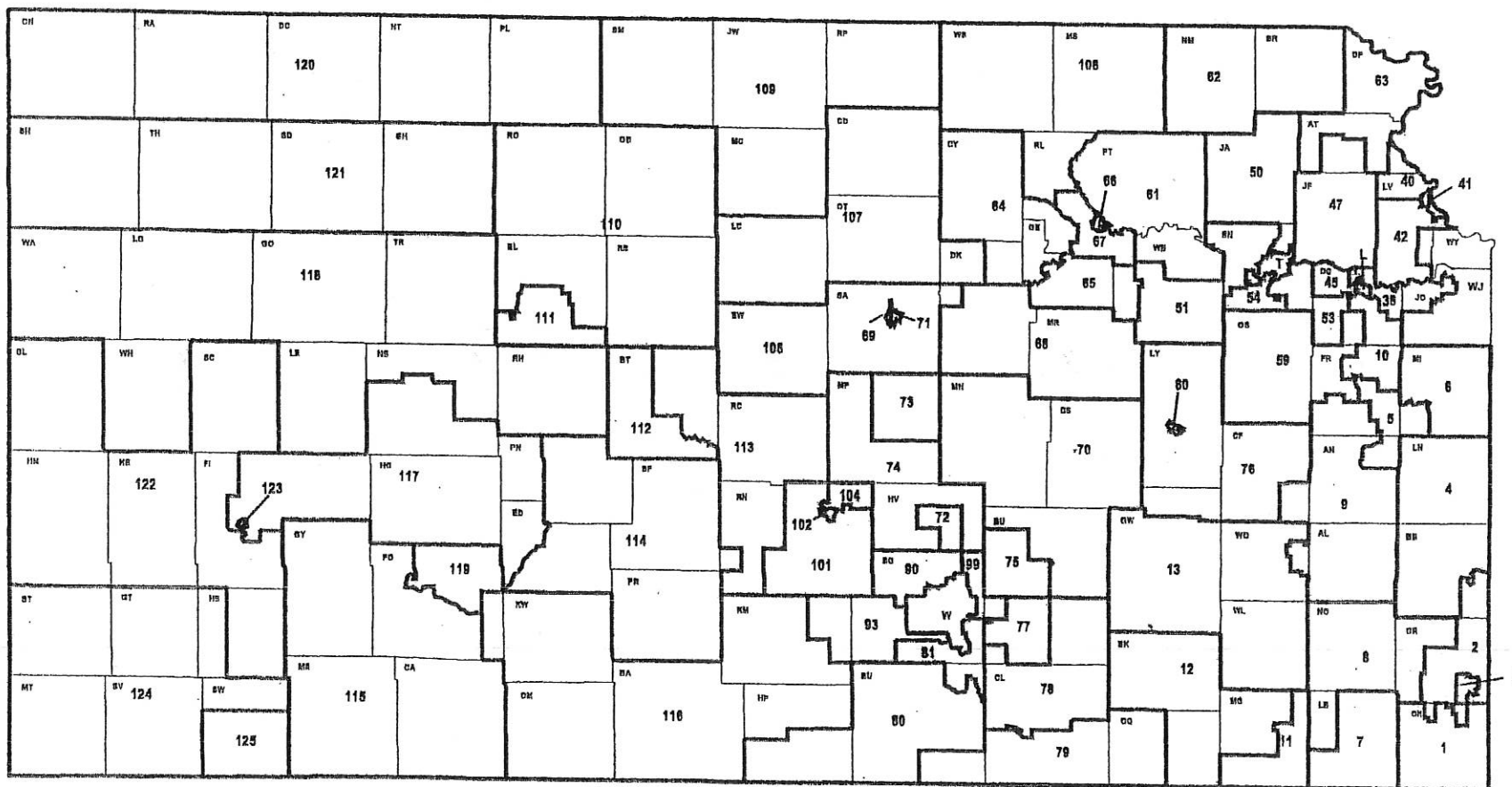
-  District
-  County

0 20 40 60
Miles

Kansas Legislative Research Dept. 02/13/02

Districts approved by Kansas Supreme Court April 26, 2002 and effective for the 2002 general election.

NOTE: In some urban areas, district boundaries cannot be shown at this scale. For these urban districts; see the key below the map.



W=Wichita districts 82-89, 81, 92, 94-98, 100, 103, 105

T=Topeka districts 52, 55-58

L=Lawrence districts 44, 46

WJ=Wyandotte and Johnson county districts 14-37, 39, 48, 49

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State of Kansas

Abstract of Votes Cast in the General
Election held on the fifth day of November, 2002

RENO County

		For Secretary of State											
		David Haley			Charles St-George			Ron Thornburgh					
		Democrat			Reform			Republican					
PRECINCT NAME	VTD#												
Albion Township	000010			85			5			203			
Arlington Township	000020			63			6			100			
Bell Township	000030			7			1			25			
Castleton Township	000040			25			4			65			
Center Township	000050			36			4			120			
Enterprise Township	000060			12			4			36			
Grant Township	000070			96			11			370			
Grove Township	000080			2			0			15			
Haven Township	000090			139			15			368			
Hayes Township	000100			13			0			24			
Huntsville Township	000110			12			3			31			
Hutchinson Precinct 01	000120			81			4			56			
Hutchinson Precinct 02	000130			22			3			48			
Hutchinson Precinct 03	000140			47			2			41			
Hutchinson Precinct 04	000150			79			7			448			
Hutchinson Precinct 05	000160			72			5			104			
Hutchinson Precinct 06	000170			63			5			100			
Hutchinson Precinct 07	000180			101			6			178			
Hutchinson Precinct 09	000200			89			5			304			
Hutchinson Precinct 10	000210			102			5			381			
Hutchinson Precinct 11	000220			107			7			366			
Hutchinson Precinct 12	000230			60			4			245			
Hutchinson Precinct 13	000240			76			8			241			
Hutchinson Precinct 14	000250			68			3			152			
Hutchinson Precinct 15	000260			61			12			89			
Hutchinson Precinct 16	000270			100			10			154			
Hutchinson Precinct 17	000280			69			5			255			
Hutchinson Precinct 18	000290			36			5			48			
Hutchinson Precinct 19	000300			48			11			99			
Hutchinson Precinct 20	000310			77			6			171			
Hutchinson Precinct 21	000320			84			8			135			
Hutchinson Precinct 22	000330			103			3			286			
Hutchinson Precinct 24	000350			84			9			224			
Hutchinson Precinct 25	000360			67			6			75			
Hutchinson Precinct 26	00037A			66			6			126			
Hutchinson Precinct 26 Exclave	00037B			8			0			14			
Hutchinson Precinct 27	000380			45			2			212			
Hutchinson Precinct 28	00039A			134			7			502			
Hutchinson Precinct 28 Exclave A	00039B			16			1			102			
Hutchinson Precinct 28 Exclave B	00039C			0			0			0			
SUBTOTAL				2455			208			6513			

State of Kansas

Abstract of Votes Cast in the General
Election held on the fifth day of November, 2002

RENO County

		For Secretary of State												
PRECINCT NAME	VTD#	David Haley			Charles St-George			Ron Thornburgh						
		Democrat			Reform			Republican						
Hutchinson Precinct 29	000400			6	4			4			1	5	7	
Hutchinson Precinct 30	000410			5	0			9				5	4	
Hutchinson Precinct 31	000420			4	2			2			1	3	0	
Hutchinson Precinct 32	000430				1			0				1	8	
Langdon Township	000440				6			0				1	7	
Lincoln Township	000450			2	6			2			1	1	4	
Little River Township	000460			8	9			1	7		5	7	3	
Loda Township	000470			1	1			1				2	1	
Medford Township	000480				2			1				5	5	
Medora Township	000490			1	1	7		9			3	6	6	
Miami Township	000500			3	9			7				7	4	
Nickerson Ward 1	000510			4	2			5				9	4	
Nickerson Ward 2	000520			2	6			1				5	3	
Nickerson Ward 3	000530			3	6			2				5	0	
Ninnescah Township	000540			1	5			0				4	4	
North Clay Township	00055A			5	7			4			2	5	7	
North Clay Township Enclave	00055B				0			0					1	
North Reno Township	000560			1	1	6		1	1		3	0	2	
Plevna Township	000570			1	5			4				6	9	
Roscoe Township	000580				8			0				3	5	
Salt Creek Township	000590			1	9			6				9	3	
South Clay Township	00060A			1	0	0		1	6		2	3	3	
South Clay Township Enclave	00060B				0			0					0	
South Hutchinson Precinct 1	000610			4	5			4				8	2	
South Hutchinson Precinct 2	000620			1	0	9		1	0		2	0	7	
South Hutchinson Precinct 3	000630			5	5			1			1	3	7	
South Reno Township	000640			2	9			3				7	2	
Sumner Township	000650			4	0			1	0		1	1	9	
Sylvia Township	000660			2	7			6				9	7	
Troy Township	000670			1	3			3				1	9	
Valley Township	000680			4	5			9			1	9	1	
Walnut Township	000690				5			0				4	1	
Westminister Township	000700			2	4			7				6	4	
Yoder Township	000710			3	8			4			1	0	8	
Hutchinson Precinct 08 H101	200010			3	0			2				8	4	
Hutchinson Precinct 08 H104	Pct. 35 200020			4	2			4			1	1	1	
Hutchinson Precinct 23 H101	Pct. 23 ex. 200030				5			0				7	7	
Hutchinson Precinct 23 H104	200040			1	0	6		7			3	6	4	
Hutchinson Precinct 33	200050			2	2			1			1	1	7	
Hutchinson Precinct 34	200060			1	1			0				1	9	
SUBTOTAL				1	5	2	7	1	7	2	4	7	1	9

