

Approved: 3/22/07  
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Tim Huelskamp at 1:30 P.M. on March 20<sup>th</sup>, 2007 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Martha Dorsey, Kansas Legislative Research Department  
Matt Spurgin, Kansas Legislative Research Department  
Ken Wilke, Revisor of Statutes  
Zoie Kern, Committee Secretary

Conferees appearing before the committee:

Senator Ralph Ostmeyer

Others attending:

See attached list.

Senator Ostmeyer began with testimony on behalf of County Commissioners in regards to **HB 2307 Concerning counties; amending KSA 19-202 and repealing the existing section.** (Attachment 1).

Discussion.

Ken Wilke to put amendments in bill form.

Further discussion to clarify the removal of boundaries for election purposes.

Senator Ostmeyer assures the committee that commissioners are aware of possible problems in equal representation but are willing to take this on.

Senator Ostmeyer states dissolving districts would eliminate more serious problems. He will work with Ken Wilke from the Revisor of Statutes office to draft the final wording for **HB 2307.**

Ken Wilke gave summary on **HB 2322 concerning elections; tabulating votes.** Copies of the amendment were given to members of Committee (Attachment 2).

Discussion.

Senator Francisco moved to change wording page 2, line 41 from 10% to 5%. Second by Senator Betts.

Motion carried..

Senator Francisco moved and it was second by Senator Betts to move **HB 2322** out favorable.

Motion carried..

Ken Wilke gave brief summary of **HB 2058 concerning counties; enforcement of codes and resolutions.**

Senator Pyle moved to include 5 more counties to page 2, line 40. Senator Huelskamp second.

Discussion.

Senator Francisco motioned to leave "in any county" as the amendment states on page 2 line 40.

Motion carried..

Senator Pyle motioned and second by Senator Reitz to move out **HB 2058** as amended.

Motion carried..

Meeting adjourned.

Respectfully submitted,

Zoie C. Kern, Committee Secretary



**Ralph Ostmeier - HB 2307**

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**From:** <SH\_County\_Clerk@wan.kdor.state.ks.us>  
**To:** <ostmeier@senate.state.ks.us>  
**Date:** 3/19/2007 10:40 AM  
**Subject:** HB 2307

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Honorable Senator Ostmeier:

The County Commissioners had a special meeting this morning and decided that they would like to have the following voting plan for HB 2307:

**At large-at large County Commissioner Election:**

**Qualifications:** The candidate must be a resident of Sherman County and must be an elector at the time of filing and shall file for the office of County Commissioner with the Sherman County Election officer.

**Filing Deadline:** The deadline for party candidates to file is at noon on June 10 of the year of the election or if the 10th is on a weekend, the deadline is noon on the next business day. The June deadline for a candidate to withdraw their name is also at noon on June 10.

The individual will file as a Democrat or a Republican and they must complete all necessary paperwork.

All qualified voters who are affiliated with a given party may vote in the Primary Election. Voters will be allowed to vote for the same number of candidates as the number of positions open. Example: During a Presidential election years, there will be two (2) positions open for election and during Gubernatorial election years, there will be one (1) position open for election.

The candidate or two candidates receiving the highest number of votes in the Primary Election from each party will be the candidates that are nominated by each party and their name/names will go on the General ballot. All qualified voters in Sherman County will be allowed to vote for the office of County Commissioner and will vote for the same number or fewer candidates as the number of positions that are open (in addition to the candidates that were nominated).

Brad Bryant may need to get with you and tweak this wording, but it is the concept of what the Commissioners are wanting. I had faxed a copy of the options that I had come up with for the Commissioners to review and decide on. I have not heard back yet from Brad. Hopefully, it will clarify all of Brad's concerns that he had about how the election would be handled.

If I can be of further assistance, please feel free to contact me. My phone number is 785-890-4802. It was the consensus of the Commission last week that they want to get this bill passed by the Senate, so that people can have the opportunity to vote on it next year. Thank you for your assistance.

Janet Rumpel  
Sherman County Clerk/Election Officer



Elections and Local Government

3-20-07

As Amended by House Committee

Session of 2007

HOUSE BILL No. 2332

By Committee on Elections and Governmental Organization

2-1

10 AN ACT concerning elections; relating to the method of tabulating cer-  
11 tain vote.]

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. The secretary of state shall adopt rules and regulations  
15 requiring county election officers to tabulate **and report election re-**  
16 **sults with** all provisional ballots and advance voting ballots **allocated** by  
17 precinct.

18 Sec. 2. This act shall take effect and be in force from and after its  
19 publication in the statute book.]

relating to primary elections; amending  
K.S.A. 2006 Supp. 25-213 and repealing  
the existing section

Session of 2007

~~HOUSE BILL No. 2094~~

~~By Committee on Elections and Governmental Organization~~

~~1-18~~

9 AN ACT concerning elections; amending K.S.A. 2006 Supp. 25-213 and  
10 repealing the existing section.

11

12 ~~*Be it enacted by the Legislature of the State of Kansas.*~~

13 Section 1. K.S.A. 2006 Supp. 25-213 is hereby amended to read as  
14 follows: 25-213. At all national and state primary elections, the national  
15 and state offices as specified for each in this section shall be printed upon  
16 the official primary election ballot for national and state offices and the  
17 county and township offices as specified for each in this section shall be  
18 printed upon the official primary election ballot for county and township  
19 offices. The official primary election ballots shall have the following  
20 heading:

**OFFICIAL PRIMARY ELECTION BALLOT**

\_\_\_\_\_ Party

23 To vote for a person whose name is printed on the ballot make a cross  
24 or check mark in the square at the left of the person's name. To vote for  
25 a person whose name is not printed on the ballot, write the person's name  
26 in the blank space, if any is provided, and make a cross or check mark in  
27 the square to the left.

28 The words national and state or the words county and township shall  
29 appear on the line preceding the part of the form shown above.

30 The form shown shall be followed by the names of the persons for  
31 whom nomination petitions or declarations have been filed according to  
32 law for political parties having primary elections, and for the national and  
33 state offices in the following order: United States senator, United States  
34 representative from \_\_\_\_\_ district, governor and lieutenant governor, sec-  
35 retary of state, attorney general, state treasurer, commissioner of insur-  
36 ance, senator \_\_\_\_\_ district, representative \_\_\_\_\_ district, district judge  
37 \_\_\_\_\_ district, district magistrate judge \_\_\_\_\_ district, district attorney -  
38 judicial district, and member state board of education \_\_\_\_\_ district. For  
39 county and township offices the form shall be followed by the names of  
40 persons for whom nomination petitions or declarations have been filed  
41 according to law for political parties having primary elections in the fol-  
42 lowing order: commissioner \_\_\_\_\_ district, county clerk, treasurer, reg-  
43 ister of deeds, county attorney, sheriff, township trustee, township trea-

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1 surer, township clerk. When any office is not to be elected, it shall be  
2 omitted from the ballot. Other offices to be elected but not listed, shall  
3 be inserted in the proper places. For each office there shall be a statement  
4 of the number to vote for.

5 To the left of each name there shall be printed a square. Official pri-  
6 mary election ballots may be printed in one or more columns. The names  
7 certified by the secretary of state or county election officer shall be  
8 printed on official primary election ballots and no others. In case there  
9 are no nomination petitions or declarations on file for any particular of-  
10 fice, the title to the office shall be printed on the ballot followed by a  
11 blank line with a square, and such title, followed by a blank line, may be  
12 printed in the list of candidates published in the official paper. No blank  
13 line shall be printed following any office where there are nomination  
14 petitions or declarations on file for the office except following the offices  
15 of precinct committeeman and precinct committeewoman. Except as oth-  
16 erwise provided in this section, no person's name shall be printed more  
17 than once on either the official primary election ballot for national and  
18 state offices or the official primary election ballot for county and township  
19 offices. No name that is printed on the official primary election ballot as  
20 a candidate of a political party shall be printed or written in as a candidate  
21 for any office on the official primary election ballot of any other political  
22 party. If a person is a candidate for the unexpired term for an office, the  
23 person's name may be printed on the same ballot as a candidate for the  
24 next regular term for such office. The name of any candidate on the ballot  
25 may be printed on the same ballot as such candidate and also as a can-  
26 didate for precinct committeeman or committeewoman. No name that is  
27 printed on the official primary election ballot for national and state offices  
28 shall be printed or written in elsewhere on such ballot or on the official  
29 primary election ballot for county and township offices except for precinct  
30 committeeman or committeewoman. No name that is printed on the of-  
31 ficial primary election ballot for county and township offices shall be  
32 printed or written in on the official primary election ballot for national  
33 and state offices or elsewhere on such county and township ballot except  
34 for precinct committeeman or committeewoman.

35 No person shall be elected to the office of precinct committeeman or  
36 precinct committeewoman where no nomination petitions or declarations  
37 have been filed, unless the person receives at least five write-in votes. As  
38 a result of a primary election, no person shall receive the nomination and  
39 no person's name shall be printed on the official general election ballot  
40 when no nomination petitions or declarations were filed, unless the per-  
41 son receives votes equal in number to not less than ~~10%~~ <sup>5%</sup> of the electors  
42 who voted for the office of secretary of state at the last preceding general  
43 election for such office total of the current voter registration of the party

1 designated in the state, county or district in which the office is sought  
2 compiled by the office of the secretary of state, except that a candid  
3 for township office may receive the nomination and have such persc  
4 name printed on the ballot where no nomination petitions or declarati  
5 have been filed if such candidate receives three or more write-in vo  
6 No such person shall be required to obtain more than 5,000 votes.  
7 Sec. 2. K.S.A. 2006 Supp. 25-213 is hereby repealed.  
8 Sec. 3. This act shall take effect and be in force from and after  
9 publication in the statute book.

Handwritten mark resembling a stylized '2' or '8'.