

MINUTES OF THE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Terrie Huntington at 9:34 a.m. on January 27, 2011, in Room 159-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Assistant Revisor, Office of the Revisor of Statutes
Jill Shelley, Principal Analyst, Kansas Legislative Research Department
Reed Holwegner, Principal Analyst, Legislative Research Department
Ellen Martinez, Committee Assistant

Conferees appearing before the Committee:

Sherrie Riebel, Allen County Clerk, Kansas County Clerks & Election Officials Association
Kris Kobach, Kansas Secretary of State

Others attending:

See attached list.

The Chairman called the meeting to order and asked for bill introductions. The Chairman recognized Sherrie L. Riebel, Election Legislation Committee Chairman, Kansas County Clerk's and Election Officials, who requested two bills. The first would establish the number of candidates that would continue on to the General Election if a primary were to be held. The second bill request was to change the candidate-filing deadline from June 10 to June 1. (Attachment 1)

Motion moved by Senator Schmidt, seconded by Senator Kelsey. Motion carried.

The Chairman introduced and welcomed Kris Kobach, Kansas Secretary of State. He made introductory remarks and introduced his staff members who were present, Brad Bryant, Ryan Kriegshauser and Eric Rucker. Secretary Kobach indicated the willingness of his department to work closely with the Ethics and Elections Committee. Secretary Kobach summarized what has happened in voting in Kansas over the last two decades, so that the Committee will better understand the trends that have been reported by his agency. (Attachment 2)

Secretary Kobach presented a request for the introduction of four bills: the first would allow overseas voters to vote a full ballot at all elections; apply for, receive and return their ballots by electronic means; and vote a write-in ballot, if needed. (Attachment 3)

Senator Schmidt moved, seconded by Senator Petersen.

The second bill would cancel the Presidential preference primary election in 2012; maintain the law to have the primary in 2016 and beyond.

Senator Schmidt moved, seconded by Senator Brungardt.

The third bill would remedy a confusing situation that arose with the resignation of a state senator and the need for an expedited election.

Senator Brungardt, seconded by Senator Schmidt.

The fourth bill would change candidate filing deadlines in redistricting years.

Senator Schmidt moved, seconded by Senator Petersen. All motions carried.

Secretary Kobach spoke about the Secure And Fair Elections (SAFE) Act that is in the House Omnibus Bill and that he anticipated that the Committee will hear this act.

The Chairman thanked Secretary Kobach for appearing.

The Chairman reminded the Committee that January 31 is the last day to request individual bill drafts.

CONTINUATION SHEET

The minutes of the Ethics and Elections at 9:34 a.m. on January 27, 2011, in Room 144-S of the Capitol.

The next meeting is scheduled for February 2, 2011.

The meeting was adjourned at 10:00 a.m.

**SENATE ETHICS AND ELECTIONS COMMITTEE
GUEST LIST**

Date: January 27, 2011

NAME	REPRESENTING
Bob Vancouver	Greater KC Chamber
Melissa Ward	Hein Law Firm
Sherrie L. Rebel	Allen County Clerk ^{for} KCC+EOA
Joanne Long	Bourbon County Clerk ^{for} KCC+EOA
Jay Edwards	KASB
Judy Mohr	KBEC
Carol Welton	KBEC
Brad Bryant	Sec of state
Ryan Kriegshauser	Sec. of State
ERIC RUCKER	Sec. of STATE

ALLEN COUNTY COURTHOUSE

Sherrie L. Riebel
COUNTY CLERK

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Senate Committee on Ethics and Elections

Request for Introduction of Committee Bills

Sherrie L. Riebel, Election Legislation Committee Chairman
Kansas County Clerk's & Election Officials

January 26, 2011

Madam Chair and Members of the Committee:

The Kansas County Clerk's & Election Officials request the introduction of two committee bills:

1. **City/School General Elections**—This bill would establish the number of candidates that would continue on to the General Election if a primary were to be held.

2. **Change the filing deadline for Candidate filing starting 2014**—This bill would change the candidate-filing deadline from June 10 to June 1.

Thank you for your consideration.

Ethics and Elections Committee

Attachment 1

Date 1-27-11

KRIS W. KOBACH
Secretary of State



Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594
(785) 296-4564

STATE OF KANSAS

Senate Committee on Ethics and Elections

Presentation by Secretary of State Kris W. Kobach

January 27, 2011

1. 2010 Elections

- a. Primary Election—August 3, 2010
- b. General Election—November 2, 2010

2. MOVE Act

Military and Overseas Voter Empowerment Act

3. Legislative Agenda for 2011

General Election Statistics

Voter Registration

Year	Republican	Democratic	Libertarian	Reform	Unaffiliated	Total
2010	766,422	460,243	10,088	1,280	486,979	1,725,012
2008	771,019	484,710	9,786	1,361	482,883	1,749,756
2006	763,992	441,833	9,191	1,463	446,538	1,663,017
2004	783,068	454,068	9,432	2,278	445,109	1,694,365
2002	742,903	441,269	9,416	1,850	420,261	1,615,699
2000	735,435	449,445	9,973	1,887	424,183	1,623,623*

* includes 2,700 Constitution Party

Turnout			
Year	Registered Voters	Turnout	Percentage
2010	1,725,012	856,831	50%
2008	1,749,756	1,234,765	71%
2006	1,663,017	864,294	52%
2004	1,694,365	1,213,108	72%
2002	1,615,699	840,243	52%
2000	1,623,623	1,083,264	67%
1998	1,513,685	751,505	50%
1996	1,438,894	1,076,237	75%
1994	1,273,648	836,251	64%
1992	1,365,849	1,161,927	85%

Advance Voting

Year	Voter Registration	Advance Voters	Percent
2010	1,725,012	245,089	28.6%
2008	1,749,756	428,772	34.7
2006	1,663,017	165,313	19.1
2004	1,694,365	245,827	20.2
2002	1,615,333	137,055	16.5
2000	1,622,131	185,399	17.1
1998	1,513,685	84,160	11.1
1996	1,438,894	150,000	12.9

Primary Election Statistics

Voter Registration

Year	Republican	Democratic	Libertarian	Reform	Unaffiliated	Total
2010	744,975	460,318	9,956	1,154	490,395	1,706,798
2008	741,786	449,058	9,152	1,344	451,631	1,652,971
2006	755,725	437,854	9,047	1,503	447,205	1,651,334
2004	730,049	428,728	9,019	1,686	421,946	1,591,428
2002	719,758	431,996	9,348	1,854	425,872	1,588,859
2000	696,480	430,410	9,369	2,194	416,971	1,557,692*

* includes 2,256 Constitution Party

Turnout			
Year	Registered Voters	Turnout	Percentage
2010	1,706,900	429,344	25%
2008	1,652,973	371,121	23%
2006	1,651,334	298,972	18%
2004	1,591,428	488,002	31%
2002	1,588,859	410,630	26%
2000	1,557,692	425,568	27%
1998	1,493,779	439,463	29%
1996	1,352,393	532,294	39%
1994	1,273,649	458,336	36%
1992	1,187,515	516,532	44%

Advance Voting

Year	Voter Registration	Advance Voters	Percent
2010	1,706,900	90,922	25.2
2008	1,652,973	75,384	20.3
2006	1,651,334	51,653	17.3
2004	1,591,428	62,531	12.8
2002	1,588,859	47,617	11.6
2000	1,577,692	44,512	10.6
1998	1,493,779	53,429	12.2
1996	1,352,393	43,860	8.2

KRIS W. KOBACH
Secretary of State



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STATE OF KANSAS

Senate Committee on Ethics and Elections

Request for Bill Introduction Secretary of State Kris W. Kobach

January 27, 2011

Madam Chair and Members of the Committee:

I request introduction of four committee bills.

1. Military & overseas voter bill

I am proposing a bill identical to Senate Bill 426 in 2010. This bill would accomplish the following:

- Comply with the federal MOVE Act
- Allow military & overseas voters to cast ballots by email or other electronic means
- Allow a full ballot for military & overseas voters
(Currently their ballots do not include ballot questions in local jurisdictions or political party precinct committee positions in the August primary)

2. Presidential Preference Primary cancellation bill

Recognizing that today's state budget climate might make it difficult to obtain the \$1.5 million to \$2 million needed to pay for a statewide PPP, I wish to raise the issue with the Legislature by proposing a bill to cancel the 2012 PPP but maintain the laws on the books to have the primary in 2016 and beyond.

3. Kansas Senate vacancy bill

A confusing situation arose last year with the resignation of Sen. Jim Barnett in early October, requiring an expedited election. The compressed schedule prescribed in K.S.A. 25-321 does not allow for a candidate filing period or a primary election. I have drafted legislation to raise the issue and give the Legislature an opportunity to remedy the situation.

4. Candidate filing deadline in redistricting years

The Legislature will redraw its district lines in 2012. There are special filing deadlines in current law for candidates who file for federal or state offices in redistricting years. I propose legislation to alter these special deadlines to make them fit better in the overall election process.

I have drafted proposed language for these bills, and I offer the assistance of my office as necessary. Thank you for your consideration.